



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 14 November 2019
Decision-maker: Chief Executive Officer, Judith Lind
Name of relevant person: Mr Kevin Clunne
Track: Richmond
Date: 24 July 2019
Rule no.: Rule 83(2)(a)
Charge(s): (1) The greyhound 'Mozzie' ("**Greyhound**") was presented for the purposes of competing in race 2 at the Richmond meeting on 24 July 2019 in circumstances where the Greyhound was not free of any prohibited substance.
Prohibited substance(s): Arsenic
Disciplinary action taken: 6-week suspension

REPORT:

Following receipt of a certificate of analysis from the Racing Analytical Services Laboratory, the Commission conducted an investigation into the results of a pre-race urine sample taken from the greyhound, 'Mozzie' ("**Greyhound**") at the Richmond meeting on 24 July 2019.

Further analysis of the sample was conducted by the Racing Chemistry Laboratory, confirming the presence of arsenic at a mass concentration of 980 nanograms per millilitre.

After considering the evidence, the Commission charged Mr Clunne with a breach of Rule 83(2)(a) of the Commission's Greyhound Racing Rules ("**Rules**") given that the pre-race urine sample taken from the Greyhound confirmed the presence of prohibited substance arsenic above the threshold imposed by Rule 83(11) of 800 nanograms per millilitre.

Mr Clunne admitted the charge.

The disciplinary action was conducted in writing in accordance with the participant's election.

DECISION:

1. Mr Clunne is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound was presented for race 2 at the Richmond meeting on 24 July 2019 (“Event”) and a pre-Event urine sample was taken from the Greyhound.
2. The pre-Event swab revealed the presence of arsenic at a mass concentration of 980 nanograms per millilitre. Arsenic, at a mass concentration greater than 800 nanograms per millilitre is a prohibited substance under Rule 83(11) of the Rules. Arsenic is a category 5 prohibited substance under the NSW greyhound racing penalty guidelines.
3. The Commission charged Mr Clunne under Rule 83(2)(a), which reads:
 - (2) The owner, trainer or person in charge of a greyhound-
 - (a) nominated to compete in an Event;
 - (b) presented for a satisfactory, weight or whelping trial or such other trial as provided for pursuant to these Rules; or
 - (c) presented for any test or examination for the purpose of a period of incapacitation or prohibition being varied or revokedshall present the greyhound free of any prohibited substance.
4. Mr Clunne admitted the charge, provided written submissions and elected to have the disciplinary proceeding conducted in writing.
5. The Commission found the charge proven and took the following disciplinary action against Mr Clunne:

To suspend his trainer registration for a period of 6 weeks.
6. In taking this disciplinary action, the Commission considered all evidence, including:
 - Mr Clunne has been a registered trainer for approximately 6 years;
 - Mr Clunne’s disciplinary history does not include any prohibited substance matters;
 - The low level of arsenic detected;
 - NSW greyhound racing penalty guidelines and precedents;
 - Mr Clunne’s written submissions in mitigation of penalty, including in relation to his personal circumstances.
7. In addition, the Greyhound was disqualified from race 2 at the Richmond meeting on 24 July 2019 pursuant to Rule 83(4).

.....End.....