



**GREYHOUND WELFARE & INTEGRITY COMMISSION**  
**DISCIPLINARY ACTION DECISION**

**Date of decision:** 28 November 2019  
**Decision-maker:** Chief Executive Officer, Judith Lind  
**Name of relevant person:** Mr Barry McGrath  
**Track:** The Gardens  
**Date:** 8 June 2019  
**Rule no.:** Rule 83(2)(a)  
**Charge(s):** (1) Mr McGrath presented the greyhound 'Zambora Bella' ("Greyhound") for the purposes of competing in race 10 at the Gardens meeting on 8 June 2019 in circumstances where the Greyhound was not free of any prohibited substance.

**Permanently banned**

**prohibited substance(s):** Benzoylecgonine and ecgonine methyl ester

**Disciplinary action taken:** 18 months disqualification [with 18 weeks suspended due to the period of interim suspension served]

**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, 'Zambora Bella' ("Greyhound") at the Gardens meeting on 8 June 2019.

Further analysis of the sample was conducted by the Australian Racing Forensic Laboratory, confirming the presence of benzoylecgonine and ecgonine methyl ester.

After considering the evidence, the Commission charged Mr McGrath 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 the permanently banned prohibited substances benzoylecgonine and ecgonine methyl ester.

Mr McGrath admitted the charge at the earliest opportunity.

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

## DECISION:

1. Mr McGrath is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 10 at the Gardens meeting on 8 June 2019 (“**Event**”) and a pre-Event urine sample was taken from the Greyhound.
2. The pre-Event swab revealed the presence of enzoylecgonine and ecgonine methyl ester. Benzoylecgonine and ecgonine methyl ester are permanently banned prohibited substances under Rule 79A(2)(v) and (vi) of the GWIC Greyhound Racing Rules and category 2 prohibited substances under the NSW greyhound racing penalty guidelines.
3. The Commission charged Mr McGrath 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 McGrath admitted the charge at the earliest opportunity, 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 McGrath:

To disqualify his trainer registration for a period of 18 months, with:

  - (a) 18 weeks suspended due to the period of interim suspension served; and
  - (b) The remaining period of disqualification to be served, commencing on 28 November 2019 and expiring on 25 January 2021.
6. In taking this disciplinary action, the Commission considered all evidence, including:
  - Mr McGrath has been a registered trainer for approximately 26 years;
  - Mr McGrath has no history of any prohibited substance matters;
  - NSW greyhound racing penalty guidelines and precedents;
  - Mr McGrath’s admission at the earliest opportunity;
  - The period served under interim suspension: 25 July 2019 to 28 November 2019;
  - Mr McGrath’s submissions in mitigation of penalty, including in relation to his personal circumstances and remorse.

7. In addition, the Greyhound was disqualified from race 10 at the Gardens meeting on 8 June 2019 pursuant to Rule 83(4).

.....End.....