

GREYHOUND WELFARE & INTEGRITY COMMISSION

DISCIPLINARY ACTION DECISION

Date of decision:	31 January 2020
Decision-maker:	Director Legal Services, Matthew Tutt & Senior Legal Officer, Sarah James
Name of relevant person:	Mr Christos Arletos
Track:	Dapto
Date:	13 December 2018
Rule no.:	Rule 83(1A) & Rule 83(2)(a)
Charge(s):	<p>(1) Mr Arletos administered or caused to be administered a prohibited substance to the greyhound, 'Spritely Mae' ("Greyhound") that was presented for racing at the Dapto meeting on 13 December 2018.</p> <p>(2) Mr Arletos presented the Greyhound for the purposes of competing in race 6 at the Dapto meeting on 13 December 2018 in circumstances where the Greyhound was not free of any prohibited substance.</p>
Permanently banned prohibited substance(s):	5 β -androstane-3 α , 17 β -diol
Disciplinary action taken:	Charge 2: 10-month disqualification [with 30 weeks and 1 day suspended due to the period of interim suspension served]

DECISION:

Charge 2:

1. Following receipt of a certificate of analysis from the Racing Analytical Services Laboratory ("**Laboratory**"), the Commission conducted an investigation into the results of a post-race urine sample taken from the greyhound, 'Spritely Mae' ("**Greyhound**") at the Dapto meeting on 13 December 2018.
2. Mr Arletos is a registered greyhound trainer and the trainer of the female Greyhound. The Greyhound was presented for race 6 at the Dapto meeting on 13 December 2018 ("**Event**"). Following the Event, as the Greyhound place first, a urine sample was taken from the Greyhound.
3. The post-Event swab revealed the presence of 5 β -androstane-3 α , 17 β -diol at a mass concentration of greater than 20 nanograms per millilitre. 5 β -androstane-3 α , 17 β -diol at a mass concentration greater than 10 nanograms per millilitre in a sample of urine taken from a bitch exceeds the threshold set by Rule 83(6) of the Commission's

Greyhound Racing Rules (“**Rules**”). 5 β -androstane-3 α , 17 β -diol is a known metabolite of testosterone and testosterone is an anabolic androgenic steroid; a permanently banned prohibited substance.

4. Further analysis of the sample was conducted by the Racing Science Centre (“**Confirmatory Laboratory**”), confirming the presence of 5 β -androstane-3 α , 17 β -diol at a mass concentration of greater than 20 nanograms per millilitre.
5. Following receipt of the Confirmatory Laboratory’s certificate and having considered all evidence, including Mr Arletos’ submissions in reply, pending the finalisation of the Commission’s investigation, on 5 July 2019 the Commission interim suspended Mr Arletos pursuant to Rule 92(5)(c) of the Rules.
6. Following completion of the Commission’s investigation, after considering the evidence, the Commission charged Mr Arletos with a breach of Rule 83(2)(a) of the Rules given that the post-race urine sample taken from the Greyhound confirmed the presence of the permanently banned prohibited substance 5 β -androstane-3 α , 17 β -diol.
7. The charge was determined following a hearing heard on 1 November 2019, with further submissions provided 13 January 2020.

Charge 1

8. On 19 February 2019, an inspection of Mr Arletos’ registered kennels was conducted following notification of the results of the Laboratory’s testing. A hair sample was taken from the Greyhound and analysed by the Laboratory.
9. The analysis of the hair sample revealed the presence of testosterone propionate, an anabolic androgenic steroid. Confirmatory testing of the hair sample was not conducted.
10. After considering the evidence, the Commission charged Mr Arletos with a breach of Rule 83(1A) of the Rules.
11. The charge was determined following a hearing heard on 1 November 2019.

Evidence

12. On 1 November 2019, this matter was heard by the Commission
13. Mr Arletos appeared before the Commission and was legally represented. Mr Arletos entered a plea of not guilty to charge 1 and a plea of guilty to charge 2. Mr Arletos gave evidence during the hearing. Evidence was provided by the Commission’s CVO and the Commission’s Inspector involved in an inspection of Mr Arletos’ kennels.
14. The matter was adjourned for the Commission to determine the charges and propose any penalty.
15. On 5 December 2019, after considering the evidence, the Commission found charge 1 not proven on the basis of insufficient evidence to support the charge and charge 2 proven.

16. Notwithstanding the level detected being in excess of 20 ng/mL the decision makers were not satisfied on the evidence that Mr Arletos was culpable to the administration charge. Whilst evidence was provided that an administration of testosterone was the likely reason for the high reading, the evidence did not support to the requisite evidentiary standard that Mr Arletos administered, or had any knowledge of, the administration of the substance.

17. The Commission, after considering submissions provided on behalf of Mr Arletos, took the following disciplinary action against Mr Arletos in relation to charge 2:

To disqualify Mr Arletos' trainer registration for a period of 10 months, with:

- (a) 30 weeks and 1 day suspended due to the period of interim suspension served from 5 July 2019; and
- (b) The remaining period of disqualification to be served, commencing on 1 February 2020 and expiring on 4 May 2020.

18. In taking this disciplinary action, the Commission considered all the evidence, including:

- Mr Arletos has been a registered trainer for approximately 31 years;
- Mr Arletos has no history of any prohibited substance matters;
- Mr Arletos' admission of Charge 2 at the earliest opportunity;
- The level of the permanently banned prohibited substance detected, being in excess of double the permissible threshold;
- NSW greyhound racing penalty guidelines and precedents, which provides a starting point penalty of 12 months disqualification;
- The period served under an interim suspension: being 5 July 2019 to 31 January 2020;
- The submissions made on Mr Arletos' behalf in mitigation of penalty, including in relation to significant contributions to the industry, his good character, remorse and personal circumstances.

2. In addition, the Greyhound was disqualified from race 6 at the Dapto meeting on 13 December 2018 pursuant to Rule 83(4) and from race 6 at the Dapto meeting on 20 December 2018 pursuant to Rule 83(5)(b).

.....End.....