



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 30 April 2020
Decision-maker: Director Legal Services, Matthew Tutt
Name of relevant person: Mrs Stella Mackinnon
Track: Richmond
Date: 15 January 2020
Rule no.: Rule 83(2)(a)
Charge(s): (1) Mrs Mackinnon presented the greyhound 'My Great Boy' ("Greyhound") for the purposes of competing in race 9 at Richmond on 15 January 2020 in circumstances where the Greyhound was not free of any prohibited substance.
Prohibited substance(s): Arsenic
Disciplinary action taken: 12-week suspension, wholly suspended (conditionally)
Fine: \$750

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, 'My Great Boy' ("Greyhound") at the Richmond meeting on 15 January 2020.

Further analysis of the sample was conducted by the Racing Chemistry Laboratory, confirming the presence of arsenic at a mass concentration of 1,100 nanograms per millilitre.

After considering the evidence, the Commission charged Mrs Mackinnon 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 prohibited substance arsenic above the threshold imposed by Rule 83(11) of 800 nanograms per millilitre.

The disciplinary action was conducted in writing.

DECISION:

1. Mrs Mackinnon is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 9 at the Richmond meeting on 15 January 2020 (“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 1,100 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.
3. The Commission charged Mrs Mackinnon 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. Mrs Mackinnon was notified of the charge in writing and provided with a reasonable opportunity to reply. As no response was provided the disciplinary proceeding was conducted in writing on the evidence before the Commission.
5. The Commission found the charge proven and took the following disciplinary action against Mrs Mackinnon:
 1. To suspend her trainer registration held with GWIC for a period of 12 weeks, wholly suspended for 12 months on the condition that, within that 12 month period, Mrs Mackinnon does not breach Rule 83(2) of the Commission’s Greyhound Racing Rules; and
 2. To fine her in the amount of \$750.
6. In taking this disciplinary action, the Commission considered all evidence, including:
 - Mrs Mackinnon has been a registered trainer for approximately 37 years, namely since 1983. This was considered as an exceptional circumstance and a significant factor considered in Mrs Mackinnon’s favour;
 - Mrs Mackinnon has no history of any prohibited substance matters;
 - NSW greyhound racing penalty guidelines and precedents.
7. In addition, the Greyhound was disqualified from race 9 at the Richmond meeting on 15 January 2020 pursuant to Rule 83(4) of the Rules.

.....End.....