



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 22 June 2020

Decision-maker: Chief Executive Officer, Judith Lind

Name of relevant person: Mr Robert Mumford

Track: Wauchope

Date: 11 January 2020, 8 February 2020

Rule no.: Rule 83(2)(a) x 2

Charge(s): (1) Mr Mumford presented the greyhound 'Set In Black' ("**Greyhound**") for the purposes of competing in race 5 at the Wauchope meeting on 11 January 2020 in circumstances where the Greyhound was not free of any prohibited substance;

(2) Mr Mumford presented the greyhound 'Set to Sparkle' ("**Second Greyhound**") for the purposes of competing in race 4 at the Wauchope meeting on 8 February 2020 in circumstances where the Greyhound was not free of any prohibited substance.

Prohibited substance(s): Diclofenac

Disciplinary action taken: Suspension periods served concurrently

Charge 1 (Rule 83(2)(a)): 10-week suspension

Charge 2 (Rule 83(2)(a)): 12-week suspension

REPORT:

First Charge

Following receipt of a certificate of analysis from the Racing Analytical Services Laboratory, the Commission conducted an investigation into the results of a post-race urine sample taken from the greyhound, 'Set In Black' ("**Greyhound**") at the Wauchope meeting on 11 January 2020.

Further analysis of the sample was conducted by the Australian Racing Forensic Laboratory, confirming the presence of diclofenac.

After considering the evidence, the Commission charged Mr Mumford with a breach of Rule 83(2)(a) of the Commission's Greyhound Racing Rules ("**Rules**") given that the post-race urine

sample taken from the Greyhound confirmed the presence of the prohibited substance diclofenac.

Second Charge

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, 'Set to Sparkle' ("**second Greyhound**") at the Wauchope meeting on 8 February 2020.

Further analysis of the sample was conducted by the Australian Racing Forensic Laboratory, confirming the presence of diclofenac.

After considering the evidence, the Commission charged Mr Mumford with a breach of Rule 83(2)(a) of the Rules given that the pre-race urine sample taken from the Greyhound confirmed the presence of the prohibited substance diclofenac.

Mr Mumford denied both charges.

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

DECISION:

1. Mr Mumford is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 5 at the Wauchope meeting on 11 January 2020 ("**Event**") and a post-Event urine sample was taken from the Greyhound.
2. The post-Event swab revealed the presence of diclofenac. Diclofenac is a prohibited substance under Rule 1 of the Rules.
3. The second Greyhound competed in race 4 at the Wauchope meeting on 8 February 2020 ("**Second Event**") and a second pre-Event urine sample was taken from the second Greyhound.
4. The second pre-Event swab revealed the presence of diclofenac. Diclofenac is a prohibited substance under Rule 1 of the Rules.
5. The Commission charged Mr Mumford under Rule 83(2)(a) for each offence, 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 revoked

shall present the greyhound free of any prohibited substance.

6. Mr Mumford denied the charges, provided written submissions and elected to have the disciplinary proceeding conducted in writing.

7. The Commission found both of the charges proven and took the following disciplinary action against Mr Mumford:

Charge 1 (Rule 83(2)(a)): To suspend his trainer registration for a period of 10 weeks;

Charge 2 (Rule 83(2)(a)): To suspend his trainer registration for a period of 12 weeks,

with the periods of suspension to be served concurrently.

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

- Mr Mumford has been a registered trainer for approximately 39 years, since 1981;
- Mr Mumford has no history of prohibited substance offences;
- NSW greyhound racing penalty precedents;
- Mr Mumford did not have a reasonable opportunity to review and amend his animal husbandry practices after the first positive and prior to the second swab due to the timing of the notification of the first positive;
- Mr Mumford's submissions in mitigation of penalty, including in relation to his review and amendment of his animal husbandry practices, personal circumstances and a reasonable explanation for the source of the positive swab.

9. In addition, the Greyhound was disqualified from race 5 at the Wauchope meeting on 11 January 2020 and the Second Greyhound was disqualified from race 4 at the Wauchope meeting on 8 February 2020 pursuant to Rule 83(4) of the Rules.

.....End.....