

## GREYHOUND WELFARE & INTEGRITY COMMISSION

### DISCIPLINARY ACTION DECISION

<b>Date of decision:</b>	14 August 2020
<b>Decision-maker:</b>	Matthew Tutt, Director Legal Services & Sarah McClure, Senior Legal Officer
<b>Name of relevant person:</b>	Mr Craig Tuntler
<b>Track:</b>	Bathurst
<b>Date:</b>	24 June 2019
<b>Rule no.:</b>	Rule 83(2)(a)
<b>Charge(s):</b>	(1) Mr Tuntler presented the greyhound 'Implosion' (" <b>Greyhound</b> ") for the purposes of competing in race 2 at the Bathurst meeting on 24 June 2019 in circumstances where the Greyhound was not free of any prohibited substance.
<b>Permanently banned prohibited substance(s):</b>	Hydrocortisone
<b>Disciplinary action taken:</b>	16-week suspension; deferred commencement to 12am on 15 August 2020 under Rule 95(5)

#### REPORT:

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

Further analysis of the sample was conducted by the Queensland Racing Integrity Commission Racing Science Centre, confirming the presence of hydrocortisone at a mass concentration above 1,000 nanograms per millilitre.

After considering the evidence, the Commission charged Mr Tuntler 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 substance, hydrocortisone above the threshold imposed by Rule 83(8) of 1,000 nanograms per millilitre.

On 14 August 2020, the matter was heard by the Commission and finalised under Part 6 of the *Greyhound Racing Act 2017* (NSW). Mr Tuntler attended in person and admitted the charge at the earliest opportunity.

## DECISION:

1. Mr Tuntler is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 2 at the Bathurst meeting on 24 June 2019 (“Event”) and a pre-Event urine sample was taken from the Greyhound.
2. The pre-Event swab revealed the presence of hydrocortisone at a mass concentration of 1,858ng/mL. Hydrocortisone exceeding 1,000 nanograms per millilitre is a prohibited substance under Rule 83(8) of the Rules and in the absence of any evidence of the topical administration of any registered topical preparation is also a permanently banned prohibited substance under Rule 79A(2)(xxiv).
3. The Commission charged Mr Tuntler 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 Tuntler admitted the charge at the earliest opportunity and made submissions in relation to the charge and in mitigation of penalty.
5. After considering the evidence, including submissions in mitigation of penalty, the Commission found the charge proven and took the following disciplinary action against Mr Tuntler:

To suspend his trainer registration for a period of 16 weeks, commencing 12am on 15 August 2020.
6. In taking this disciplinary action, the Commission considered all evidence, including:
  - Mr Tuntler has been a registered trainer for approximately 23 years;
  - Mr Tuntler has no history of any disciplinary matters;
  - Greyhound racing penalty precedents;
  - Mr Tuntler’s admission of the charge at the earliest opportunity;
  - Expert evidence before the Commission and accepted by the Commission was that the Greyhound had suffered as a puppy, not while in Mr Tuntler’s care, structural deformation of the head and pelvic deformation caused by blunt force trauma, causing the Greyhound’s demeanour to be quiet and withdrawn, with a cognitive function that was abnormal and diminished;
  - The presence of hydrocortisone at 1,858ng/mL was considered in this matter as a permanently banned prohibited substance in the absence of any evidence of the topical administration of any registered topical prescriptions and the submissions made that the level of hydrocortisone detected in the

greyhound's system were (or were likely to be) as a result of the greyhound's injury as a puppy were considered as speculative;

- Mr Tuntler's cooperation with the disciplinary proceedings;
- Mr Tuntler's submissions in mitigation of penalty, including in relation to his good character, clear record and personal and financial circumstances.

7. In addition, the Greyhound was disqualified from race 2 at the Bathurst meeting on 24 June 2019 pursuant to Rule 83(4).

.....End.....