



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 21 August 2020
Decision-maker: Chief Executive Officer, Judith Lind
Name of relevant person: Mr Darryl Thomas
Track: Grafton
Date: 10 July 2019
Rule no.: Rule 83(2)(a)
Charge(s): (1) Mr Thomas presented the greyhound 'La Grand Quality' ("Greyhound") for the purposes of competing in race 7 at the Grafton meeting on 10 July 2019 in circumstances where the Greyhound was not free of any prohibited substance.

Permanently banned prohibited substance: Dehydronorketamine
Prohibited substance(s): 4-hydroxy xylazine and oxazepam
Disciplinary action taken: 20-week suspension (wholly and conditionally suspended for 12-months)

REPORT:

Following receipt of a certificate of analysis from Racing Analytical Services Limited, the Commission conducted an investigation into the results of a post-race urine sample taken from the greyhound, 'La Grand Quality' ("Greyhound") at the Grafton meeting on 10 July 2019.

Further analysis of the sample was conducted by the Australian Racing Forensic Laboratory, confirming the presence of dehydronorketamine, 4-hydroxy xylazine and oxazepam.

After considering the evidence, the Commission charged Mr Thomas 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 substances dehydronorketamine, 4-hydroxy xylazine and oxazepam.

Mr Thomas admitted the charge at the earliest opportunity.

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

DECISION:

1. Mr Thomas is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 7 at the Grafton meeting on 10 July 2019 (“Event”). Following the Event, a urine sample was taken from the Greyhound.
2. The post-Event swab revealed the presence of dehydronorketamine, 4-hydroxy xylazine and oxazepam. Dehydronorketamine is a permanently banned prohibited substance under Rule 79A(2)(v) of the Rules; 4-hydroxy xylazine and oxazepam are prohibited substances under Rule 1 of the Rules.
3. The Commission charged Mr Thomas 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 Thomas admitted the charge, provided written submissions and other material in support of his response 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 Thomas:

To suspend his trainer registration for a period of 20 weeks, wholly suspended for a period of 12-months on the condition that Mr Thomas does not breach Rule 83(2)(a) during that 12-month period.
6. In taking this disciplinary action, the Commission considered all evidence, including:
 - Mr Thomas has held a greyhound licence for approximately 18 years;
 - Mr Thomas has no like matters in his disciplinary history;
 - The significant prizemoney in the sum of \$15,000 which will be affected by the taking of this disciplinary action – this was considered as a significant factor in mitigation of penalty;
 - Expert evidence in relation to the likely source of the prohibited substances stemming from meat contamination of knackery meat;
 - The estimated levels of the prohibited substances detected being considered as low;
 - Greyhound racing penalty precedents;

- Mr Thomas' submissions in mitigation of penalty, including in relation to his good character and record and his feeding practices including the use of knackery meat.

7. In addition, the Greyhound was disqualified from race 7 at the Grafton meeting on 10 July 2019 pursuant to Rule 83(4) of the Rules.

8. The Commission notes that there have been several recent cases involving meat contamination as the suggested and / or likely source of a positive swab coming before it. For offences that arise in the future, consideration will be given to larger penalties to communicate to the greyhound racing community that the feeding of knackery meat is an unacceptable practice and must stop.

.....End.....