

**GREYHOUND WELFARE & INTEGRITY COMMISSION**  
**DISCIPLINARY ACTION DECISION**

**Date of decision:** 10 May 2021

**Decision-maker:** Director Integrity & Legal Services, Matthew Tutt, Chief Inspector, David OShannessy and Senior Steward, Dean Degan

**Name of relevant person:** Mr Brett Gilbert

**Track:** Gosford

**Date:** 12 January 2021

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

**Charge(s):** (1) Mr Gilbert presented the greyhound 'It's Cash Time' ("**Greyhound**") for the purposes of competing in race 6 at the Gosford meeting on 12 January 2021 in circumstances where the Greyhound was not free of any prohibited substance.

**Prohibited substance:** Arsenic

**Disciplinary action taken:** 6-week suspension

**REPORT:**

Following receipt of a certificate of analysis from the Racing Analytical Services Limited, the Commission conducted an investigation into the results of a pre-race urine sample taken from the greyhound, 'It's Cash Time' ("**Greyhound**") at the Gosford meeting on 12 January 2021.

Further analysis of the sample was conducted by the Racing Science Centre, confirming the presence of arsenic at a mass concentration of 1,392 nanograms per millilitre ("**ng/mL**").

After consider the evidence, the Commission charged Mr Gilbert 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 substance arsenic above the threshold imposed by Rule 83(11) of 800 ng/mL.

Mr Gilbert admitted the charge at the earliest opportunity.

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

**DECISION:**

1. Mr Gilbert is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 6 at the Gosford meeting on 12 January 2021 (“Event”). Before the Event, a urine sample was taken from the Greyhound.
2. The pre-Event swab revealed the presence of arsenic at a mass concentration level of 1,392 ng/mL. Arsenic at a mass concentration greater than 800 ng/mL is a prohibited substance under Rule 83(11) of the Rules.
3. The Commission charged Mr Gilbert 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 Gilbert admitted the charge, provided written submissions 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 Gilbert:

To suspend his trainer registration for a period of 6 weeks.
6. In taking this disciplinary action, the Commission considered all evidence, including:
  - Mr Gilbert has only held a trainer registration for approximately 5 months;
  - Mr Gilbert has no history of prohibited substance matters;
  - Mr Gilbert’s admission of the charge at the earliest opportunity;
  - The prizemoney which will be affected by the taking of this disciplinary action;
  - NSW greyhound racing penalty precedents;
  - Mr Gilbert’s submissions in mitigation of penalty, including in relation to his good character, personal circumstances, his review of his animal husbandry practices and remorse.
7. In addition, the Greyhound was disqualified from race 6 at the Gosford meeting on 12 January 2021 pursuant to Rule 83(4) of the Rules.

.....End.....