

GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 27 August 2021

Decision-makers: Alice Stafford, A/Senior Legal Officer, David OShannessy, Chief Inspector & Dean Degan, Senior Steward

Name of relevant person: Mr Desmond Cecil

Track: Lismore

Date: 1 June 2021

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

Charge(s): (1) A greyhound registered under Mr Cecil's trainership 'Classy Cosmo' ("**Greyhound**") was presented for the purposes of competing in race 10 at the Lismore meeting on 1 June 2021 in circumstances where the Greyhound was not free of any prohibited substance.

Prohibited substance(s): Cobalt

Disciplinary action taken: 9-week suspension

REPORT:

First charge

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, 'Classy Cosmo' ("**Greyhound**") at the Lismore meeting on 1 June 2021.

Further analysis of the sample was conducted by the Australian Racing Forensic Laboratory confirming the presence of cobalt at a mass concentration level above the threshold amount of 100 nanograms per millilitre ("**ng/mL**").

After considering the evidence, the Commission charged Mr Cecil with a breach of Rule 83(2)(a) of the Rules.

DECISION:

1. Mr Cecil is a registered greyhound trainer and the trainer of the Greyhound.

2. The Greyhound competed in race 10 at the Lismore meeting on 1 June 2021 (“Event”). Following the Event, a urine sample was taken from the Greyhound. The post-Event swab revealed the presence of cobalt at a mass concentration level of greater than 100 ng/mL.
3. Cobalt above the specified threshold of 100 ng/mL is a prohibited substance under Rule 83(10) of the Rules.
4. The Commission charged Mr Cecil with an offence 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.
5. On 27 August 2021, this matter was heard by the Commission in an online hearing. Mr Cecil was present at the hearing. Mr Cecil admitted the charge. During the hearing, Mr Cecil gave oral evidence and submissions in mitigation of penalty.
6. The Commission found the charge proven.
7. The Commission took the following disciplinary action against Mr Cecil:

To suspend his registration for a period of 9 weeks.
8. In taking this disciplinary action, the Commission considered all evidence, including:
 - Greyhound racing penalty precedents in NSW and other jurisdictions;
 - Mr Cecil’s plea of guilty at the earliest opportunity;
 - Mr Cecil has been a registered trainer for approximately 5 years, since 2016;
 - Mr Cecil’s lack of any prior relevant disciplinary history;
 - The prizemoney affected as a result of the taking of this disciplinary action;
 - The oral evidence of Mr Cecil in mitigation of penalty including in relation to his good character, his personal and financial circumstances, and his review of and amendment to his animal husbandry practices.
9. In addition, the Greyhound was disqualified from the Event pursuant to Rule 83(4) of the Rules.

.....End.....