

GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 11 August 2021

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

Name of relevant person: Miss Chrystal Hensing

Track: Maitland; The Gardens; Wentworth Park

Date: 30 March 2021; 10 April 2021; 30 April 2021; 1 May 2021

Rule no.: Rule 83(2)(a) x4

Charge(s):

(1) A greyhound registered under Miss Hensing's trainership 'Bruce Mick Glenn' ("**Greyhound**") was presented for the purposes of competing in race 5 at the Maitland meeting on 30 March 2021 in circumstances where the Greyhound was not free of any prohibited substance.

(2) A greyhound registered under Miss Hensing's trainership 'Bones McCoy' ("**Greyhound**") was presented for the purposes of competing in race 11 at The Gardens meeting on 10 April 2021 in circumstances where the Greyhound was not free of any prohibited substance.

(3) A greyhound registered under Miss Hensing's trainership 'Bruce Mick Glenn' ("**Greyhound**") was presented for the purposes of competing in race 9 at The Gardens meeting on 30 April 2021 in circumstances where the Greyhound was not free of any prohibited substance.

(4) A greyhound registered under Miss Hensing's trainership 'Bones McCoy' ("**Greyhound**") was presented for the purposes of competing in race 11 at the Wentworth Park meeting on 1 May 2021 in circumstances where the Greyhound was not free of any prohibited substance.

Prohibited substance(s): Arsenic (x4)

Disciplinary action taken: To be served concurrently

Charge 1: 7-week suspension

Charge 2: 9-week suspension

Charge 3: 10-week suspension

Charge 4: 12-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, 'Bruce Mick Glenn' ("**first Greyhound**") at the Maitland meeting on 30 March 2021.

Further analysis of the sample was conducted by the Racing Chemistry Laboratory confirming the presence of arsenic at a mass concentration level above the threshold amount of 800 nanograms per millilitre ("**ng/mL**").

Second 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, 'Bones McCoy' ("**second Greyhound**") at The Gardens meeting on 10 April 2021.

Further analysis of the sample was conducted by the Racing Chemistry Laboratory confirming the presence of arsenic at a mass concentration level above the threshold amount of 800 ng/mL.

Third charge

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 first Greyhound at The Gardens meeting on 30 April 2021.

Further analysis of the sample was conducted by the Racing Chemistry Laboratory confirming the presence of arsenic at a mass concentration level above the threshold amount of 800 ng/mL.

Fourth 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 second Greyhound at the Wentworth Park meeting on 1 May 2021.

Further analysis of the sample was conducted by the Racing Chemistry Laboratory confirming the presence of arsenic at a mass concentration level above the threshold amount of 800 ng/mL.

After considering the evidence, the Commission charged Miss Hensing with four (4) breaches of Rule 83(2)(a) of the Rules.

DECISION:

1. Miss Hensing is a registered greyhound trainer and the trainer of the first and second Greyhounds.
2. The first Greyhound competed in race 5 at the Maitland meeting on 30 March 2021 (“**first Event**”). Following the first Event, a urine sample was taken from the first Greyhound. The post-Event swab revealed the presence of arsenic at a mass concentration level of greater than 1,600 ng/mL.
3. The second Greyhound competed in race 11 at The Gardens meeting on 10 April 2021 (“**second Event**”). Following the second Event, a urine sample was taken from the first Greyhound. The post-Event swab revealed the presence of arsenic at a mass concentration level of greater than 1,600 ng/mL.
4. The first Greyhound competed in race 9 at The Gardens meeting on 30 April 2021 (“**third Event**”). Prior to the third Event, a urine sample was taken from the first Greyhound. The pre-Event swab revealed the presence of arsenic at a mass concentration level of greater than 1,600 ng/mL.
5. The second Greyhound competed in race 11 at the Wentworth Park meeting on 1 May 2021 (“**fourth Event**”). Following the fourth Event, a urine sample was taken from the first Greyhound. The post-Event swab revealed the presence of arsenic at a mass concentration level of greater than 1,600 ng/mL.
6. Arsenic above the specified threshold of 800 ng/mL is a prohibited substance under Rule 83(11) of the Rules.
7. The Commission charged Miss Hensing with four (4) offences 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.
8. On 11 August 2021, this matter was heard by the Commission in an online hearing. Miss Hensing was present at the hearing. Miss Hensing denied all of the charges. During the hearing, Miss Hensing gave oral evidence and submissions in mitigation of penalty.

9. The Commission found all four (4) of the charges proven.

10. The Commission took the following disciplinary action against Miss Hensing:

Charge 1 - (30 March 2021):	To suspend her trainer registration for a period of 7 weeks;
Charge 2 – (10 April 2021):	To suspend her trainer registration for a period of 9 weeks;
Charge 3 – (30 April 2021):	To suspend her trainer registration for a period of 10 weeks;
Charge 4 – (1 May 2021):	To suspend her trainer registration for a period of 12 weeks,

with:

- The periods of suspension to be served concurrently.

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

- Greyhound racing penalty precedents in NSW and other jurisdictions;
- Miss Hensing's plea of not guilty to all charges;
- Miss Hensing has been a registered trainer for approximately 5 years, since 2016;
- Miss Hensing's lack of any prior relevant disciplinary history;
- The level of substance detected, being double that of the threshold level set under Rule 83(11) of the Rules;
- The prizemoney affected as a result of the taking of this disciplinary action;
- The oral evidence of Miss Hensing in mitigation of penalty including in relation to her good character, her personal and financial circumstances, and her review of and amendment to her animal husbandry practices.

12. In addition, the first Greyhound was disqualified from the first and third Events pursuant to Rule 83(4) of the Rules. The second Greyhound was disqualified from the second and fourth Events pursuant to Rule 83(4) of the Rules.

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