



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision:	20 January 2022
Decision-makers:	Director Compliance, Policy & Legal, Matthew Tutt, A/Deputy Chief Inspector, Shaye Barrow and Director Race Day Operations & Integrity, Wade Birch
Name of relevant person:	Mr Peter Lagogiane
Track:	Richmond Straight
Date:	31 July 2021
Rule no.:	Rule 83(2)(a)
Charge(s):	(1) Mr Lagogiane presented the greyhound 'Zipper By Two' (" Greyhound ") for the purposes of competing in race 6 at the Richmond Straight meeting on 31 July 2021 in circumstances where the Greyhound was not free of any prohibited substance
Prohibited Substance(s):	Flunixin
Disciplinary action taken:	\$3,750 fine

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, 'Zipper By Two' ("**Greyhound**") at the Richmond Straight meeting on 31 July 2021.

Further analysis of the sample was conducted by the Australian Racing Forensic Laboratory, confirming the presence of flunixin in the sample.

On 18 November 2021 Mr Lagogiane was issued with a notice of proposed disciplinary action ("**Notice**") setting out the proposed disciplinary action to be taken and the grounds in support of that proposed disciplinary action. This Notice proposed a penalty of a \$5,000 fine and invited Mr Lagogiane to admit or deny the charge and make submissions on the proposed penalty.

Evidence, plea and submissions

Mr Lagogiane was provided with a brief of evidence along with the Notice. In addition, a summary of the evidence was contained in the Notice.

On 3 December 2021 Mr Lagogiane responded to the Notice, admitting the charge, and providing submissions that stated, in summary:

- Mr Lagogiane submitted that he had no knowledge as to how the prohibited substance came to be in the greyhound's system that day, but strongly believed it likely came from contaminated meat;
- Mr Lagogiane submitted that the greyhound was only in his care for a short period of time;
- Mr Lagogiane submitted that after considering the options, he elected to plead guilty to the charge but did so with a heavy heart, out of the belief that it is the best thing to do for himself and his family;
- Mr Lagogiane acknowledged that the responsibility rests solely with the trainer when presenting a greyhound on race day; and
- Mr Lagogiane noted his long period in the industry and his good record in that time.

The decision makers considered Mr Lagogiane's submissions and came to the following determination.

DECISION:

1. Mr Lagogiane is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 6 of the Richmond Straight meeting on 31 July 2021 ("**Event**"). Following the Event, a urine sample was taken from the Greyhound.
2. The post-Event swab revealed the presence of flunixin. Flunixin is a prohibited substance under Rule 1 of the Rules.
3. The decision makers charged Mr Lagogiane 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;

...

shall present the greyhound free of any prohibited substance.
4. Mr Lagogiane admitted the charge at the earliest opportunity, provided brief written submissions and elected to have the disciplinary proceedings conducted in writing.
5. The decision makers found the charge proven and took the following disciplinary action against Mr Lagogiane:

To impose a fine in the sum of \$3,750,
6. In taking this disciplinary action, the decision makers considered all evidence, including:
 - Greyhound racing penalty precedents in NSW;
 - The length of time Mr Lagogiane has held a trainer registration, being for a period from 2002 – 2015, and 2017- current, a period of approximately 18 years

- Mr Lagogiane’s disciplinary history – he has two prior prohibited substance matters, albeit some time ago in 2014 and 2008;
 - Mr Lagogiane’s admission of the charge at the earliest opportunity; and
 - Mr Lagogiane’s submissions in mitigation of penalty, including in relation to the circumstances of the offending and his remorse.
7. The decision makers had regard to the substance type, as well as the disciplinary history of Mr Lagogiane and opted to propose a starting penalty of a \$5,000 fine. Mr Lagogiane’s early admission to the charge allowed him a reduction of 25%, resulting in a fine of \$3,750. Mr Lagogiane’s long period in the industry was considered by the decision makers but his disciplinary history involving two prior prohibited substance matters outweighed any mitigation his time in the industry might have allowed.
8. In addition, the Greyhound was disqualified from race 6 at the Richmond Straight meeting on 31 July 2021 pursuant to Rule 83(4) of the Rules.

.....End.....