



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

<b>Date of decision:</b>	3 March 2022
<b>Decision-makers:</b>	Director Compliance, Policy & Legal, Matthew Tutt, and Legal Officer, Annalese Summerson-Hingston.
<b>Name of relevant person:</b>	Mrs Gillian Apps
<b>Track:</b>	Temora
<b>Date:</b>	23 October 2021
<b>Rule no.:</b>	Rule 83(2)(a)
<b>Charge(s):</b>	(1) Mrs Apps presented the greyhound 'Battie's Banquet' (" <b>Greyhound</b> ") for the purposes of competing in race 10 at the Temora meeting on 23 October 2021 in circumstances where the Greyhound was not free of any prohibited substance;
<b>Prohibited Substance(s):</b>	Cobalt above the mass concentration limit of 100 nanograms per millilitre
<b>Disciplinary action taken:</b>	To suspend Mrs Apps' registrations for a period of 8 weeks

### **Charge**

Following receipt of a certificate of analysis from Racing Analytical Services Limited dated 23 November 2021, the Commission commenced an investigation into the results of a pre-race urine sample taken from the greyhound, 'Battie's Banquet' ("**Greyhound**") at the Temora meeting on 23 October 2021.

Further analysis of the sample was conducted by the Racing Chemistry Laboratory, confirming the presence of cobalt above 100ng/ml in the sample.

### **Evidence, plea and submissions**

On 17 February 2022 Mrs Apps was issued with a notice of proposed disciplinary action ("**Notice**") in relation to the charge, setting out the proposed disciplinary action to be taken and the grounds in support of that proposed disciplinary action. Mrs Apps was also provided with a brief of evidence.

On 3 March 2022 Mrs Apps attended the scheduled hearing with the decision makers. Mrs Apps was assisted at the hearing, at which she entered a plea of guilty and made submissions in relation to the charge.

The decision makers considered Mrs Apps' plea and submissions and issue the following decision.

**DECISION:**

1. Mrs Apps is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 10 of the Temora meeting on 23 October 2021. Prior to the Event, a urine sample was taken from the Greyhound.
2. The pre-Event swab revealed the presence of cobalt above the threshold. Cobalt above a mass concentration of 100ng/ml is a prohibited substance under Rule 83(10) of the Rules.
3. The decision makers charged Mrs Apps with the 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. The decision makers found the charge proven and took the following disciplinary action against Mrs Apps:

**Charge (Rule 83(2)(a), 23 October 2021):**      8-week suspension

5. In taking this disciplinary action, the decision makers considered all evidence, including:
  - Greyhound racing penalty precedents in NSW;
  - The length of time Mrs Apps has held a trainer registration, being since 1975, a notable association with the industry of approximately 47 years;
  - Mrs Apps' disciplinary history – noting her lack of any previous breach of the Rules – with reference to the period of time Mrs Apps has been involved in the industry, this was a substantial factor in mitigation considered by the decision makers;
  - Mrs Apps' submissions in mitigation of penalty, being her consistent husbandry practises over a 47-year period, a likely explanation as to the possible source of the substance and submissions in relation to her personal circumstances, including factors that are not published for privacy reasons; and
  - Mrs Apps' plea of guilty at the earliest opportunity.
6. In addition, the Greyhound was disqualified from race 10 at the Temora meeting on 23 October 2021 pursuant to Rule 83(4) of the Rules.

.....End.....