



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 23 March 2022

Decision-makers: Director Compliance, Policy & Legal, Matthew Tutt,
Director Race Day Operations & Integrity, Wade Birch and
Legal Officer, Annalese Summerson-Hingston

Name of relevant person: Mr Peter Sims

Track: Wentworth Park

Date: 27 October 2021

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

Charge(s): Mr Sims presented the greyhound 'She's a Pearl' ("Greyhound") for the purposes of competing in race 7 at the Wentworth Park meeting on 27 October 2021 in circumstances where the Greyhound was not free of any prohibited substance;

Prohibited Substance(s): Cobalt at a mass concentration level in excess of 100 nanograms per millilitre ("ng/mL")

Disciplinary action taken: To suspend Mr Sims' registrations for 8-weeks.

Charge

Following receipt of a certificate of analysis from Racing Analytical Services Limited dated 23 November 2021, the Commission conducted an investigation into the results of a post-race urine sample taken from the greyhound, 'She's a Pearl' ("Greyhound") at the Wentworth Park meeting on 27 October 2021.

Further analysis of the sample was conducted by the Racing Chemistry Laboratory, confirming the presence of cobalt at a mass concentration level in excess of 100 nanograms per ng/mL.

Evidence, plea and submissions

On 23 February 2022 Mr Sims was issued with a Notice of Proposed Disciplinary Action ("Notice") and brief of evidence in relation to the charge, setting out the proposed disciplinary action to be taken and the grounds in support of that proposed disciplinary action.

On 23 March 2022 Mr Sims was issued with the Proposed Disciplinary Action (Penalty), outlining the penalty that decision makers were proposing in relation to his matter, subject to

his plea, his submissions in the hearing, and whether the charge was found proven or not proven.

On 23 March 2022 Mr Sims attended the scheduled hearing with the decision makers and entered a plea of guilty.

The decision makers accepted Mr Sims' plea and issued the following decision.

DECISION:

1. Mr Sims is a registered greyhound trainer and the was trainer of the Greyhound. The Greyhound competed in race 7 of the Wentworth Park meeting on 27 October 2021. Following the Event, a urine sample was taken from the Greyhound.
2. The post-Event swab revealed the presence of cobalt at a mass concentration level in excess of 100ng/mL. Cobalt at a mass concentration level in excess of 100ng/mL is a prohibited substance under Rule 83(10) of the Rules.
3. The decision makers charged Mr Sims 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 Mr Sims:

Charge (Rule 83(2)(a)):	To suspend Mr Sims' registrations for a period of 8 weeks;
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5. In taking this disciplinary action, the decision makers considered all evidence, including:
 - Greyhound racing penalty precedents in NSW;
 - The length of time Mr Sims has held a trainer registration, being since 2013, a period of approximately nine years;
 - Mr Sims' disciplinary history - noting this was his first breach of Rule 83(2)(a);
 - Mr Sims' plea of guilty at the earliest opportunity;
 - Mr Sims' submissions in mitigation of penalty, including his personal and financial circumstances, his explanation of the likely source of the positive result, and his submissions in relation to the likely impact a penalty would have on his personal and financial circumstances.

6. Mr Sims submitted a request that the commencement of the suspension be deferred. The decision makers considered Mr Sims' request and agreed, pursuant to Rule 95(5), to delay the start date of the suspension period until 1 April 2022.

7. In addition, the Greyhound was disqualified from race 7 at the Wentworth Park meeting on 27 October 2021 pursuant to Rule 83(4) of the Rules.

.....End.....