



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision:	Monday 23 January 2023
Decision-maker:	Deputy Chief Steward Troy Vassallo and Director Race Day Operations (Chief Steward) Wade Birch
Name of relevant person:	James Simpson
Track:	Lithgow
Date:	22 October 2022
Rule no.:	141(1)(a)
Charge(s):	Mr James Simpson presented the greyhound 'Patonga Dave' for the purposes of competing in race 7 at the Lithgow meeting on 22 October 2022 in circumstances where the Greyhound was not free of any prohibited substance
Prohibited Substance(s):	Diclofenac
Disciplinary action taken:	To issue a fine in the sum of \$1000

INVESTIGATION

Following receipt of a certificate of analysis from Racing Analytical Services Limited dated 2 December 2022, the Commission conducted an investigation into the results of a post-event urine sample taken from the greyhound, "Patonga Dave" at the Lithgow meeting on 22 October 2022.

Further analysis of the sample was conducted by the Racing Science Centre confirming the presence of Diclofenac.

DECISION:

1. Mr Simpson is a registered Owner Trainer and the trainer of "Patonga Dave" ("the Greyhound"). The Greyhound competed in race 7 of the Lithgow meeting on 22 October 2022. Following the Event, a urine sample was taken from the Greyhound.
2. The post-event swab revealed the presence of Diclofenac.
3. Diclofenac is a prohibited substance under Rule 137 of the GWIC Greyhound Racing Rules.

4. On Thursday 19 January 2023 Mr Simpson was issued with a notice of charge and proposed disciplinary action (“**Notice**”).
5. In the Notice issued on 19 January 2023 the decision makers charged Mr Simpson with an offence under Rule 141(1)(a) of the Greyhound Racing Rules, which reads:

Rule 141(1), Rules

(1) The owner, trainer or other person in charge of a greyhound:

(a) nominated to compete in an Event;

...

must present the greyhound free of any prohibited substance.

...

(3) The owner, trainer or person in charge of a greyhound presented contrary to subrule (1) of this rule shall be guilty of an offence.

6. The Notice proposed a penalty of a fine in the sum of \$2000 and invited Mr Simpson to attend a hearing to enter a plea and make submissions in relation to the charge.
7. At the hearing conducted via Microsoft Teams on Monday 23 January 2023, Mr Simpson:
 - (a) entered a plea of guilty and;
 - (b) made verbal submissions.
8. In considering the matter, the decision makers considered Mr Simpson’s plea and submissions, as well as all available evidence. The decision makers found the charge proven and took the following disciplinary action against Mr Simpson:

Charge 141 (1) (a): To issue a fine in the sum of \$1000.

8. In taking this disciplinary action, the decision makers considered all evidence, including:
 - Mr Simpson’s guilty plea (25% reduction)
 - Mr Simpson’s registration history
 - First offence
 - Professional and personal circumstances
 - GWIC penalty guidelines
 - A likely cause for the detection of Diclofenac was established.

9. In addition, the Greyhound was disqualified from race 7 at the Lithgow meeting on 22 October 2022 pursuant to Rule 141(4) of the Rules.

.....End.....