



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision:	Monday 22 January 2024
Decision-maker:	Chief Steward Troy Vassallo and Steward Geoff Page
Name of relevant person:	Sydney Swain
Track	Wentworth Park
Date:	4 November 2023
Rule no.:	141(1)(a)
Charge(s):	Mr Sydney Swain presented the greyhound 'Kangaroo Jack' for the purposes of competing in race 9 at the Wentworth Park meeting on 4 November 2023 in circumstances where the Greyhound was not free of any prohibited substance
Prohibited Substance(s):	Meloxicam
Plea:	Guilty
Disciplinary action taken:	To issue a suspension of 5 weeks, to commence 1 February 2024 and expire 8 March 2024

INVESTIGATION

Following receipt of a certificate of analysis from Racing Analytical Services Limited dated 8 December 2023, the Commission conducted an investigation into the results of a pre-event urine sample taken from the greyhound, "Kangaroo Jack" at the Wentworth Park meeting on 4 November 2023.

Further analysis of the sample was conducted by the Australian Racing Forensic Laboratory confirming the presence of Meloxicam at mass concentration of greater than 2 nanograms per millimetre.

DECISION:

1. Mr Swain is a registered Public Trainer and Studmaster and the trainer of "Kangaroo Jack" ("the Greyhound"). The Greyhound competed in race 9 of the Wentworth Park meeting on 4 November 2023. Prior to the Event, a urine sample was taken from the Greyhound.

2. The pre-event swab revealed the presence of Meloxicam.
3. Meloxicam at mass concentration of greater than 2 nanograms per millimetre is a prohibited substance under Rule 146(6)(f) of the GWIC Greyhound Racing Rules.
4. On 15 January 2024 Mr Swain was issued with a notice of charge and proposed disciplinary action ("**Notice**").
5. In the Notice issued on 15 January 2024 the decision makers charged Mr Swain 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 two-month suspension and invited Mr Swain to attend a hearing to enter a plea and make submissions in relation to the charge.
7. On Monday 22 January 2024 Mr Swain attended a hearing held over Microsoft Teams and:
 - a) entered a plea of guilty; and
 - b) made verbal submissions
8. In considering the matter, the decision makers considered Mr Swain'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 Swain:

Charge 141(1)(a): To issue a suspension of 5 weeks, to commence 1 February 2024 and expire 8 March 2024

9. In taking this disciplinary action, the decision makers considered all evidence, including:
 - Mr Swain's guilty plea (25% reduction)

- Mr Swain’s 50-year registration history with two prior prohibited substance offences
- The participant was able to offer a plausible explanation for the presence of Meloxicam at the detected level.
- GWIC penalty guidelines

10. In addition, the Greyhound was disqualified from race 9 at the Wentworth Park meeting on 4 November 2023 pursuant to Rule 141(4) of the Rules.

.....End.....