

GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION



Date of decision: Monday 18 March 2024

Decision-maker: Chief Steward Troy Vassallo, Steward Paul Van Gestal and Steward Nathan Meyn

Name of relevant person: Joseph McFadyen

Track(s): The Gardens

Date: 19 August 2022 & 18 March 2023

Rule no.: 141(1)(a)

Charge(s):

Charge 1:

Mr Joseph McFadyen presented the greyhound 'Belmont Bullet' for the purpose of competing in race 12 at The Gardens meeting on 19 August 2022 in circumstances where the Greyhound was not free of any prohibited substance.

Charge 2:

Mr Joseph McFadyen presented the greyhound 'Zipping Maxine' for the purpose of competing in race 1 at The Gardens meeting on 18 March 2023 in circumstances where the Greyhound was not free of any prohibited substance.

Plea:

Charge 1: Guilty

Charge 2: Guilty

Prohibited Substance(s): Dexamethasone

Disciplinary action taken: Charge 1: \$2000 Fine
Charge 2: \$3000 Fine

INVESTIGATION

1. Following receipt of a certificate of analysis from Racing Analytical Services Limited ("**Laboratory**") dated 30 September 2022 ("**First Sample**") and receipt of another certificate of analysis from the Laboratory dated 28 April 2023 ("**Second Sample**"), the Commission conducted an investigation into the results of post-race urine samples taken from the greyhounds, 'Belmont Bullet' ("**First Greyhound**") at The Gardens meeting on 19 August 2022 and 'Zipping Maxine' ("**Second Greyhound**") at The Gardens meeting on 18 March 2023.
2. Further analysis of the First Sample was conducted by the Australian Racing Forensic Laboratory and the Second Sample by the Racing Science Centre which confirmed in

both samples the presence of Dexamethasone in excess of the screening limit of 200 picograms per millilitre.

DECISION:

3. Mr Joseph McFadyen is a registered Public Trainer and Breeder and the trainer of both greyhounds.
4. The First Greyhound competed in race 12 at The Gardens meeting on 19 August 2022. Following the event a urine sample was taken from the Greyhound. The post event swab revealed the presence of Dexamethasone.
5. The Second Greyhound competed in race 1 at The Gardens meeting on 18 March 2023. Following the event a urine sample was taken from the Greyhound. The post event swab revealed the presence of Dexamethasone.
6. Dexamethasone in excess of the screening limit of 200 picograms per millilitre is a prohibited substance under Rule 146(6)(c) of the Rules.
7. On 19 December 2022 Mr McFadyen was issued with a Notice of Inquiry relating to the First Sample.
8. A Stewards Inquiry into the First Sample was held on 23 March 2023. Following receipt of the Second Sample the matter was adjourned to allow decision makers the opportunity to investigate the Second Sample.
9. On 7 March 2024 Mr. McFadyen was issued with a notice of charge and proposed disciplinary ("**Notice**").
10. In the Notice the decision makers charged Mr McFadyen with two offences 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.

11. The Notice invited Mr McFadyen to attend a hearing to enter a plea and make submissions in relation to the charge.
12. On Monday 18 March 2024, Mr. McFadyen tendered written submissions and entered a plea of guilty for each charge.
13. In considering the matter, the decision makers considered Mr McFadyen's plea's and submissions, as well as all available evidence. The decision makers found the charges proven and took the following disciplinary action against Mr McFadyen:

Charge 1: \$2000 Fine

Charge 2: \$3000 Fine

14. In taking this disciplinary action, the decision makers considered all evidence, including:

- Mr McFadyen's pleas of guilty to both charges;
- Mr McFadyen's 25 year registration history, including two prior prohibited substance offences
- A probable cause for the detection of the substance was ascertained;
- Professional and personal circumstances;
- Precedent penalties in prior matters concerning this substance

15. In addition, the Greyhounds were disqualified from their respective events, namely race 12 at The Gardens meeting on August 19, 2022 and race 1 at The Gardens meeting on March 18, 2023, pursuant to Rule 141(4) of the Rules.

.....End.....