



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision:	Thursday 17 August 2023
Decision-maker:	Chief Operating Officer Wade Birch and Chief Steward Troy Vassallo
Name of relevant person:	Shannon Burgin
Track:	Gosford
Date:	10 January 2023
Rule no.:	141(1)(a)
Charge(s):	Mr Shannon Burgin presented the greyhound 'Fernando Belle' for the purposes of competing in race 1 at the Gosford meeting on 10 January 2023 in circumstances where the Greyhound was not free of any prohibited substance.
Prohibited Substance(s):	5 β Androstane-3 α , 17 β -Diol, at a mass concentration greater than 20ng/mL, Nandrolone, 5 α -estrene-3 β , 17 α -diol and 5 α -estrene-3 β , 17 β -diol
Plea:	Not Guilty
Disciplinary action taken:	To impose a period of disqualification of 12-months backdated to commence on 26 April 2023, the date the Interim Suspension was imposed, and to expire on 25 April 2024

INVESTIGATION

Following receipt of a certificate of analysis from Racing Analytical Services Limited dated 27 February 2023, the Commission investigated the results of a post-race urine sample taken from the greyhound, "Fernando Belle" at the Gosford meeting on 10 January 2023.

Further analysis of the sample was conducted by the Racing Science Centre confirming the presence of 5 β Androstane-3 α , 17 β -Diol, at a mass concentration greater than 20ng/mL, Nandrolone, 5 α -estrene-3 β , 17 α -diol and 5 α -estrene-3 β , 17 β -diol

DECISION:

1. Mr Burgin is a registered Public Trainer and Breeder and the trainer of 'Fernando Belle'" ("the Greyhound"). The Greyhound competed in race 1 at the Gosford meeting

on 10 January 2023. Following the Event, a urine sample was taken from the Greyhound.

2. The post-race swab revealed the presence of 5β Androstane- 3α , 17β -Diol, at a mass concentration greater than 20ng/mL, Nandrolone, 5α -estrene- 3β , 17α -diol and 5α -estrene- 3β , 17β -diol.
3. 5β Androstane- 3α , 17β -Diol at a concentration greater than 10 ng/mL is a PBPS under the Rules, Nandrolone is a permanently banned prohibited substance under Rule 139(1)(t), 5α -estrene- 3β , 17α -diol is a permanently banned prohibited substance under Rule 139(1)(t), and 5α -estrene- 3β , 17β -diol is a permanently banned prohibited substance under Rule 139(1)(t).
4. On 9 August 2023 Mr Burgin was issued with a notice of charge (“**Notice**”)
5. In the Notice issued on 9 August 2023 the decision makers charged Mr Burgin 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 invited Mr Burgin to attend a hearing to enter a plea and make submissions in relation to the charge.
7. At the hearing conducted on Thursday 17 August 2023 Mr Burgin made submissions and entered a not guilty plea in respect to the charge.
8. In determining the matter, the decision makers considered Mr Burgin’s plea and submissions, as well as all available evidence. Whilst the decision makers were conscious of a recent case whereby expert evidence was provided regarding the potential for Nandrolone to be produced endogenously, Stewards were satisfied, having regard to the analysts findings of Nandrolone and its metabolites, that this case could be distinguished from that case, and accordingly found the charge proven.

Charge 141 (1) (a): To impose a period of disqualification of 12-months, backdated to commence on 26 April 2023, the date the Interim Suspension was imposed, and to expire on 25 April 2024

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

- Mr Burgin’s not guilty plea
- Mr Burgin’s registration history of approximately 7 years within the industry.
- One previous offence
- GWIC penalty guidelines and precedents
- Personal circumstances

- The inquiry was not able to establish the cause for the detection of the substances.

9. In addition, the Greyhound was disqualified from race 1 at the Gosford meeting on 10 January 2023 pursuant to Rule 141(4) of the Rules.

.....End.....