



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 7 October 2020

Decision-maker: Chief Executive Officer, Judith Lind

Name of relevant person: Mr Ronald Gittoes Jnr

Track: The Gardens

Date: 15 June 2019

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

Charge(s): (1) A greyhound trained by Mr Gittoes Jnr, 'Amy Scraff' ("**Greyhound**") was presented for the purposes of competing in race 3 at The Gardens meeting on 15 June 2019 in circumstances where the Greyhound was not free of any prohibited substance.

Prohibited substance: Metformin

Disciplinary action taken: 12-week suspension, with 8 weeks suspended for 12 months (conditionally)

REPORT:

Following receipt of a certificate of analysis from Racing Analytical Services Limited, the Commission conducted an investigation into the results of a pre-race urine sample taken from the greyhound, 'Amy Scraff' ("**Greyhound**") at The Gardens meeting on 15 June 2019.

Further analysis of the sample was conducted by the Australian Racing Forensic Laboratory, confirming the presence of metformin.

After considering the evidence, the Commission charged Mr Gittoes Jnr with a breach of Rule 83(2)(a) of the Commission's Greyhound Racing Rules ("**Rules**") given that the pre-race urine sample taken from the Greyhound confirmed the presence of the prohibited substance metformin.

Mr Gittoes Jnr denied the charge.

The disciplinary action was conducted in writing in accordance with the participant's election.

DECISION:

1. Mr Gittoes Jnr is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 3 at The Gardens meeting on 15 June 2019 (“Event”). Prior to the Event, a urine sample was taken from the Greyhound.
2. The pre-Event swab revealed the presence of metformin. Metformin is a prohibited substance under Rule 1 of the Rules.
3. The Commission charged Mr Gittoes Jnr 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;
 - (b) presented for a satisfactory, weight or whelping trial or such other trial as provided for pursuant to these Rules; or
 - (c) presented for any test or examination for the purpose of a period of incapacitation or prohibition being varied or revokedshall present the greyhound free of any prohibited substance.
4. Mr Gittoes Jnr denied the charge, presented oral submissions over Skype and elected to have the remainder of the disciplinary proceeding conducted in writing.
5. The Commission found the charge proven and Mr Gittoes Jnr formally guilty of the offence on the following basis:
 - The presentation of the Greyhound for the purposes of competing in the Event by Mr Gittoes Jnr, the registered trainer of the Greyhound;
 - Mr Gittoes Jnr’s submissions in relation to the likely source of the positive result, following a review of his feeding practices in place before the Event.
6. The Commission took the following disciplinary action against Mr Gittoes Jnr:

To suspend his trainer registration for a period of 12 weeks with 8 weeks suspended for a period of 12 months on the condition that Mr Gittoes Jnr does not breach Rule 83(2)(a) or any like rules during that 12-month period.
7. In taking this disciplinary action, the Commission considered all evidence, including:
 - Mr Gittoes Jnr has held a greyhound licence for approximately 10 years;
 - Mr Gittoes Jnr has one prior positive swab matter in his disciplinary history –for cobalt in 2019 for which he received a 12-week suspension;
 - NSW greyhound racing penalty precedents;
 - Mr Gittoes Jnr’s submissions in mitigation of penalty, including in relation to his personal and financial circumstances, the delays in the matter, his review of his husbandry practices and a reasonable explanation for the source of the positive swab.

8. In addition, the Greyhound was disqualified from race 3 at The Gardens meeting on 15 June 2019 pursuant to Rule 83(4) of the Rules.

.....End.....