



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 11 February 2021

Decision-makers: Sarah McClure, Senior Legal Officer, David OShannessy, Chief Inspector & Dean Degan, Senior Steward

Name of relevant person: Mr Christopher Smith

Track: Grafton

Date: 17 August 2020

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

Charge(s): (1) Mr Smith presented the greyhound 'Tracies Treasure' ("**Greyhound**") for the purposes of competing in race 1 at the Grafton meeting on 17 August 2020 in circumstances where the Greyhound was not free of any prohibited substance.

Prohibited substance(s): Caffeine and its metabolites theophylline, paraxanthine and theobromine

Disciplinary action taken: 16-week suspension

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, 'Tracies Treasure' ("**Greyhound**") at the Grafton meeting on 17 August 2020.

Further analysis of the sample was conducted by the Australian Racing Forensic Laboratory, confirming the presence of caffeine and its metabolites theophylline, paraxanthine and theobromine.

After considering the evidence, the Commission charged Mr Smith 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 substances caffeine and its metabolites theophylline, paraxanthine and theobromine..

Mr Smith denied the charge.

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

DECISION:

1. Mr Smith is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 1 at the Grafton meeting on 17 August 2020 ("Event"). Prior to the Event, a urine sample was taken from the Greyhound.
2. The pre-Event swab revealed the presence of caffeine and its metabolites theophylline, paraxanthine and theobromine. Caffeine and its metabolites are prohibited substances under Rule 1 of the Rules.
3. The Commission charged Mr Smith 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 Smith denied the charge, provided written submissions and elected to have the disciplinary proceeding conducted in writing.
5. The Commission found the charge proven and took the following disciplinary action against Mr Smith:

To suspend his trainer registration for a period of 16 weeks.
6. In taking this disciplinary action, the Commission considered all evidence, including:
 - Mr Smith has held a trainer registration for approximately 2 years;
 - Mr Smith has no history of prohibited substance matters;
 - NSW greyhound racing penalty precedents;
 - Mr Smith's submissions in mitigation of penalty, including in relation to his good character and review of his animal husbandry practices.
7. In addition, the Greyhound was disqualified from race 1 at the Grafton meeting on 17 August 2020 pursuant to Rule 83(4) of the Rules.

.....End.....