



## GREYHOUND WELFARE & INTEGRITY COMMISSION

### DISCIPLINARY ACTION DECISION

<b>Date of decision:</b>	20 September 2022
<b>Decision-makers:</b>	Director Race Day Operations & Integrity, Mr Wade Birch and Chief Inspector, Mr David OShannessy
<b>Name of relevant person:</b>	Mr Walter King
<b>Track:</b>	Richmond
<b>Date:</b>	29 May 2022
<b>Rule no.:</b>	141(1)(a)
<b>Charge(s):</b>	Mr King presented the greyhound 'Penny's Choice' (" <b>Greyhound</b> ") for the purposes of competing in race 9 at the Richmond meeting on 29 May 2022 in circumstances where the Greyhound was not free of any prohibited substance.
<b>Prohibited Substance(s):</b>	Theobromine
<b>Disciplinary action taken:</b>	Four-month Suspension

### INVESTIGATION

Following receipt of a certificate of analysis from Racing Analytical Services Limited, the Commission conducted an investigation into the results of a post-race urine sample taken from the greyhound 'Penny's Choice' ("**Greyhound**") at the Richmond meeting on 29 May 2022.

Further analysis of the sample was conducted by the Racing Science Centre, confirming the presence of theobromine in the sample.

### DECISION:

1. Mr King is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 9 of the Richmond meeting on 29 May 2022. After the Event, a urine sample was taken from the Greyhound.
2. The post-race swab revealed the presence of theobromine. Theobromine is a prohibited substance under Rule 137 of the GWIC Greyhound Racing Rules ("**Rules**").
3. On 14 September 2022, Mr King was issued with a notice of charge and proposed disciplinary action ("**Notice**") in relation to the charge, setting out the proposed disciplinary action to be taken and the grounds in support of that proposed disciplinary action.

4. In the Notice the decision makers charged Mr King with the 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.

5. The Notice invited Mr King to attend a hearing to enter a plea and make submissions in relation to the charge and the proposed penalty.
6. On 20 September 2022 Mr King attended the scheduled hearing with the decision makers and entered a plea of guilty and made verbal submissions at the hearing.
7. In considering the matter, the decision makers considered Mr King'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 King:

**Charge (RULE 141(1)(a)):** To suspend Mr King for 4-months.

8. In taking this disciplinary action, the decision makers considered all evidence, including:
  - Greyhound racing penalty precedents in NSW;
  - The length of time Mr King has held a registration in the greyhound racing industry, being since 1985 a period of approximately 37 years;
  - Mr King's disciplinary history – including a prior positive swab matter in 2021;
  - Mr King's plea of guilty at the earliest opportunity;
9. Mr King sought deferral of the penalty commencement pursuant to Rule 174(5). Decision makers determined that the period of suspension was to commence from 27 September 2022.
10. In addition, the Greyhound was disqualified from race 9 at the Richmond meeting on 29 May 2022 pursuant to Rule 141(4) of the Rules.

.....End.....