

## GREYHOUND WELFARE & INTEGRITY COMMISSION

### DISCIPLINARY ACTION DECISION

- Date of decision:** 16 February 2022
- Decision-makers:** Director Compliance, Policy & Legal, Matthew Tutt, A/Deputy Chief Inspector, Shaye Barrow and Director Race Day Operations & Integrity, Wade Birch
- Name of relevant person:** Mr Michael Craig
- Track:** Tamworth, Coonamble
- Date:** 21 August 2021, 4 October 2021
- Rule no.:** Rule 83(2)(a)
- Charge(s):** (1) Mr Craig presented the greyhound 'Road to Glebe' ("**Greyhound**") for the purposes of competing in race 3 at the Tamworth meeting on 21 August 2021 in circumstances where the Greyhound was not free of any prohibited substance;
- (2) Mr Craig presented the greyhound 'Road to Glebe' ("**Greyhound**") for the purposes of competing in race 10 at the Coonamble meeting on 4 October 2021 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:** To be served concurrently:
- Charge 1:** 18-week suspension;
- Charge 2:** 21-week suspension.

#### First charge

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, 'Road to Glebe' ("**Greyhound**") at the Tamworth meeting on 21 August 2021.

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.

## **Second charge**

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, 'Road to Glebe' ("**Greyhound**") at the Coonamble meeting on 4 October 2021.

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.

## **Evidence, plea and submissions**

On 18 November 2021 Mr Craig was issued with a notice of proposed disciplinary action ("**Notice**") in relation to the first charge, setting out the proposed disciplinary action to be taken and the grounds in support of that proposed disciplinary action.

On 27 January 2022 Mr Craig was issued with a further notice of proposed disciplinary action ("**Second Notice**"), issuing the second charge.

On 18 November 2021 Mr Craig was provided with a brief of evidence for the first charge. On 27 January 2022 Mr Craig was provided with a brief of evidence for the second charge.

On 3 December 2021 Mr Craig responded to the First Notice via email, electing to plead guilty and accepted the proposed penalty, being an 18-week suspension for Charge One.

On 8 February 2022 Mr Craig responded to the Second Notice via email, electing to plead guilty and accept the proposed penalty, being a 21-week suspension for Charge Two.

The decision makers accepted Mr Craig's pleas and issue the following decision.

## **DECISION:**

1. Mr Craig is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 3 of the Tamworth meeting on 21 August 2021 ("**First Event**"). Following the Event, a urine sample was taken from the Greyhound.
2. The post-Event swab revealed the presence of caffeine and its metabolites theophylline, paraxanthine and theobromine. Caffeine and its metabolites theophylline, paraxanthine and theobromine is a prohibited substance under Rule 1 of the Rules.
3. The Greyhound competed in race 10 at the Coonamble meeting on 4 October 2021. Following the Second Event, a urine sample was taken from the Greyhound. The post-Event swab revealed the presence of caffeine and its metabolites theophylline, paraxanthine and theobromine. Caffeine and its metabolites theophylline, paraxanthine and theobromine is a prohibited substance under Rule 1 of the Rules.
4. The decision makers charged Mr Craig with two offences 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;

...

shall present the greyhound free of any prohibited substance.

5. The decision makers found the charges proven and took the following disciplinary action against Mr Craig

**Charge 1 (Rule 83(2)(a), 21 August 2021):** To suspend Mr Craig's registrations for a period of 18 weeks;

**Charge 2 (Rule 83(2)(a), 4 October 2021):** To suspend Mr Craig's registrations for a period of 21 weeks,

with the penalties to be served concurrently.

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

- Greyhound racing penalty precedents in NSW;
- The length of time Mr Craig has held a trainer registration, being since 1995, a period of approximately 27 years;
- Mr Craig's disciplinary history – importantly, a breach of Rule 83(2)(a) in 2012 in which caffeine was also detected, noting this was the third caffeine breach in a 10-year period;
- In mitigation, it was accepted that Mr Craig was only notified of the first positive result after 4 October 2021, being the date of the second positive result; and
- Mr Craig's plea of guilty at the earliest opportunity.

7. In addition, the Greyhound was disqualified from race 3 at the Tamworth meeting on 21 August 2021 and race 10 at the Coonamble meeting on 4 October 2021 pursuant to Rule 83(4) of the Rules.

.....End.....