

GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision:	16 February 2021
Decision-makers:	Sarah McClure, Senior Legal Officer, David OShannessy, Chief Inspector & Dean Degan, Senior Steward
Name of relevant person:	Mr Brett Moore
Track:	Taree
Date:	5 August 2020
Rule no.:	Rule 83(2)(a)
Charge(s):	(1) Mr Moore presented the greyhound ‘Bye for All’ (“ Greyhound ”) for the purposes of competing in race 1 at the Taree meeting on 5 August 2020 in circumstances where the Greyhound was not free of any prohibited substance.
Prohibited substance(s):	Cobalt
Disciplinary action taken:	12-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 post-race urine sample taken from the greyhound, ‘Bye for All’ (“**Greyhound**”) at the Taree meeting on 5 August 2020.

Further analysis of the sample was conducted by the Racing Science Centre confirming the presence of cobalt at a mass concentration above the threshold of 100 nanograms per millilitre (“**ng/mL**”).

After considering the evidence, the Commission charged Mr Moore with a breach of Rule 83(2)(a) of the Commission’s Greyhound Racing Rules (“**Rules**”) given that the post-race urine sample taken from the Greyhound confirmed the presence of the prohibited substance cobalt above the threshold imposed by Rule 83(10) of 100ng/mL.

Mr Moore admitted the charge at the earliest opportunity.

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

DECISION:

1. Mr Moore is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 1 at the Taree meeting on 5 August 2020 (“Event”). Following the Event, a urine sample was taken from the Greyhound.
2. The pre-Event swab revealed the presence of cobalt at a mass concentration of greater than 100ng/mL. Cobalt, at a mass concentration greater than 100ng/mL is a prohibited substance under Rule 83(10) of the Rules.
3. The Commission charged Mr Moore 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 Moore admitted the charge, provided written submissions and elected to have the disciplinary proceeding conducted in writing. The disciplinary proceedings were initially commenced in October 2020 under a former decision-maker and in November 2020 it was proposed that an alternative decision-maker take over the matter partway through the proceedings. Mr Moore objected to this and the matter was dealt with afresh with new decision-makers in early 2021.
5. The Commission found the charge proven and took the following disciplinary action against Mr Moore:

To suspend his trainer registration for a period of 12 weeks.
6. In taking this disciplinary action, the Commission considered all evidence, including:
 - Mr Moore has held a trainer registration for approximately 20 months, some 14 months at the time of the subject race;
 - Mr Moore has no prior matters in his disciplinary history;
 - Mr Moore’s admission of the charge at the earliest opportunity;
 - NSW greyhound racing penalty precedents;
 - The level of the prohibited substance detected in the urine sample, considered to be low range;
 - The prizemoney which will be affected by the taking of this disciplinary action;
 - Mr Moore’s submissions in mitigation of penalty, including in relation to his good character and record, personal circumstances, review of and amendment to his

animal husbandry practices, a reasonable explanation for the likely source of the positive result and his remorse.

7. In addition, the Greyhound was disqualified from race 1 at the Taree meeting on 5 August 2020 pursuant to Rule 83(4) of the Rules.

.....End.....