

GREYHOUND WELFARE & INTEGRITY COMMISSION

DISCIPLINARY ACTION DECISION

Date of decision:	20 January 2022
Decision-makers:	Director Compliance, Policy & Legal, Matthew Tutt, A/Deputy Chief Inspector, Shaye Barrow and Chief Inspector, David OShannessy
Name of relevant person:	Ms Elouise Glover
Track:	Wagga Wagga
Date:	8 July 2021
Rule no.:	Rule 83(2)(a)
Charge(s):	(1) Ms Glover presented the greyhound 'Wilde Lily' (" Greyhound ") for the purposes of competing in race 1 at the Wagga Wagga meeting on 8 July 2021 in circumstances where the Greyhound was not free of any prohibited substance
Prohibited Substance(s):	Heptaminol
Disciplinary action taken:	Fine of \$1,000

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, 'Wilde Lily' ("**Greyhound**") at the Wagga Wagga meeting on 8 July 2021.

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

On 29 September 2021 Ms Glover was issued with a notice of proposed disciplinary action ("**Notice**") setting out the proposed disciplinary action to be taken and the grounds in support of that proposed disciplinary action.

Evidence, plea and submissions

Ms Glover was provided with a brief of evidence along with the Notice. In addition, a summary of the evidence was contained in the Notice.

On 20 January 2022 Ms Glover attended a hearing with the decision makers. At the hearing on 20 January 2022 Ms Glover entered a plea of not guilty and made submissions in relation to the offence, which are summarised as follows:

- She has been involved in the industry for approximately six years, since 2016;

- She had no knowledge of how the substance came to be in the greyhound; and
- Further submissions as to her personal and financial circumstances, which are not repeated here for privacy reasons.

The decision makers considered Ms Glover's plea and submissions and came to the following determination.

DECISION:

1. Ms Glover is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 1 of the Wagga meeting on 8 July 2021 ("Event"). Following the Event, a urine sample was taken from the Greyhound.
2. The post-Event swab revealed the presence of heptaminol. Heptaminol is a prohibited substance under Rule 1 of the Rules.
3. The decision makers charged Ms Glover with an offence 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.
4. The decision makers found the charge proven and took the following disciplinary action against Ms Glover

To fine Ms Glover in the amount of \$1,000,
5. In taking this disciplinary action, the decision makers considered all evidence, including:
 - Greyhound racing penalty precedents in NSW;
 - The length of time Ms Glover has held a trainer registration, being a period of approximately six years;
 - Ms Glover's disciplinary history – she does not have any like matters on her record;
 - Ms Glover's plea of not guilty; and
 - Ms Glover's submissions in mitigation of penalty, including in relation to the circumstances of the offending, as well as her submissions in relation to her personal and financial circumstances both at the time of the offending and at the time of the hearing.
6. Ms Glover submitted that she did not give the Greyhound the prohibited substance that was detected. The decision makers accepted this submission, but given that Rule

83(2)(a), also known as the 'presentation rule', is one of absolute liability, the decision makers were satisfied that the elements of the offence were made out, being:

- Ms Glover was the trainer of the Greyhound; and
 - A prohibited substance was detected as present in the Greyhound.
7. Ms Glover made submissions accepting these two elements and as such the decision makers considered this a matter where remorse was shown by Ms Glover.
 8. Further, the submissions made by Ms Glover in relation to her personal circumstances were significant factors in mitigation and the decision makers took these into account in reducing the penalty to a fine of \$1,000.
 9. In addition, the Greyhound was disqualified from race 1 at the Wagga Wagga meeting on 8 July 2021 pursuant to Rule 83(4) of the Rules.

.....End.....