

Racing Appeals & Disciplinary Board

Media Release

11 January 2017

Racing Appeals & Disciplinary Board

Date of Hearing: Wednesday, 11 January 2017
Venue of Hearing: Victorian Commission for Gambling and Liquor Regulation
49 Elizabeth Street, Richmond, Victoria
Panel: Mr. Shane Marshall (Chairman), Mr. Terry O'Connor (Deputy
Chairman), and Mr. Phillip Davies
Name of Person Charged: Mr. John Telling
Town: Maffra
Tracks: Traralgon and Sale
Dates: Saturday, 30 April 2016 and Sunday, 12 June 2016
GAR No: 83 (2)(3)

Offenced Charged: Charge 1 - Mr. John Telling failed to present the greyhound
'Tinderella' free of any prohibited substance for an event at the
Traralgon meeting held on Saturday, 30 April 2016.

Charge 2 - Mr. John Telling failed to present the greyhound
'Tinderella' free of any prohibited substance for an event at the
Sale meeting held on Sunday, 12 June 2016.

REPORT:

Following advice from Racing Analytical Services Laboratory, the Stewards of Greyhound Racing Victoria conducted an investigation into the results of a pre-race urine sample taken from the greyhound 'Tinderella' at the Traralgon meeting held on Saturday, 30 April 2016 and the results of a post-race urine sample at the Sale meeting held on Sunday, 12 June 2016.

During the investigation, Stewards received evidence from registered trainer Mr. John Telling, Mr. Paul Zahra (Racing Analytical Services Laboratory) and Dr. Steven Karamatic (GRV Chief Veterinarian).

After considering the evidence, Stewards charged Mr. Telling with two breaches of Greyhounds Australasia Rule 83(2)(3) in that he failed to present the greyhound 'Tinderella' free of any prohibited substance for an event at the Traralgon meeting held on Saturday, 30

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April 2016, further that he failed to present the greyhound 'Tinderella' free of any prohibited substance for an event at the Sale meeting held on Sunday, 12 June 2016 given that the pre-race and post-race urine samples taken from the greyhounds respectively indicated the presence of the prohibited substance 6a-hydroxystanozolol.

Under Rule 47.1 of the Greyhound Racing Victoria Local Rules breaches of GAR83 (2)(3) constitute Serious Offences. As a result on Wednesday, 11 January 2017 this matter was heard before the Racing Appeals and Disciplinary Board in the first instance under Greyhound Local Racing Rule 47.3 and Sections 83C(b) and 83M(1) of the Racing Act.

Mr. John Telling represented himself.

Mr. Ron Matthews (GRV Steward) represented the Stewards Panel.

Mr. John Telling pleaded guilty to the charges.

DECISION:

1. Mr. John Telling is a registered trainer of greyhounds and the trainer of the greyhound, "Tinderella". Tinderella competed in race 12 at Traralgon on 30 April 2016 and race 5 at Sale on 12 June 2016. Pre-race and post-race swabs respectively on each occasion revealed the presence of 6a-hydroxystanozolol, a metabolite of stanozolol.
2. Stewards of Greyhound Racing Victoria ("GRV") have charged Mr. Telling in respect of each race with presenting Tinderella while not being free of a prohibited substance, in breach of Greyhound Australasia Rule ("GAR") 83 (2). Mr. Telling has pleaded guilty to the charges.
3. Stanozolol is a prohibited substance under the GAR and a category 4 prohibited substance under the penalty guidelines document issued by GRV. According to Dr. Steven Karamatic, Chief Veterinarian of GRV, stanozolol is an anabolic androgenic steroid which increases muscle mass and endurance and alters the behaviour of a greyhound. It is capable of affecting, in a positive way, the condition, behaviour and performance of a greyhound.
4. Mr. Telling is at loss to explain how stanozolol came to be in the system of Tinderella. He wondered whether she had been given a substance by her previous trainer, given that he had heard that stanozolol can stay in a greyhound's system for up to 12 months. The event on 30 April 2016 took place just over a year after Mr. Telling commenced training Tinderella. However this does not explain the positive swab on 12 June 2016. As in the Bravo case this may be a greyhound which is susceptible to positive readings for this substance.

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5. We find the charges proven given that they are ones of absolute liability. It is not for the Stewards to advance an explanation for the positive swabs. In determining a penalty we take into account specific deterrence, general deterrence, the public interest in providing a drug free level playing field in the industry, previous penalties for like offences and Mr. Telling's guilty plea.
6. Mr. Telling has had a very long career as a trainer with a good record as confirmed by Mr. Des Dooley of the Sale Greyhound Racing Club, including no prior transgressions save for a theobromine matter going back to September 1999 for which he incurred a \$500 fine. He has co-operated fully with the Stewards. We do not consider that specific deterrence is a significant factor in this matter.
7. General deterrence requires us to impose a penalty which serves as a warning to others in the industry to take care not to have stanozolol present in their greyhounds. It is critical for public confidence that the industry remain free of prohibited substances. Animal welfare considerations dictate likewise.
8. Given Mr. Telling's relatively good record, excellent character and his co-operation with the Stewards and his genuineness in being at a loss to explain the presence of the prohibited substance, together with the fact that stanozolol can remain in a greyhound's system without explanation (see Bravo), we consider that a penalty of 3 months disqualification should be imposed. In addition, Tinderella is disqualified from race 12 at Traralgon on 30 April 2016. The penalty in respect of the 30 April 2016 event should be served concurrently with the penalty for the 12 June event.
9. We now turn to the event of 12 June 2016. Prior to this event an out of competition test occurred in relation to this greyhound on 29 May 2016. On 12 June 2016 the results of that test were pending but Mr. Telling still chose to run the dog. Mr. Telling was advised by Mr. Ron Matthews, a steward, at Sale, that he ran the risk of incurring another positive swab. In the circumstances we believe an additional penalty should be imposed in respect of the 12 June 2016 event.
10. For the 12 June 2016 offence we disqualify Mr. Telling for a period of 6 months with 3 months of that time being suspended subject to there being no further breach of GAR 83 in the next 12 months. In addition Tinderella is disqualified from race 5 at Sale on 12 June 2016. The period of disqualification shall commence on 20 January 2017.

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