

## Racing Appeals & Disciplinary Board

# Media Release

24 April 2017

## Racing Appeals & Disciplinary Board

Date of Hearing: Monday, 24 April 2017  
Venue of Hearing: Law Institute of Victoria  
470 Bourke St, Melbourne  
Panel: Mr. Shane Marshall (Chairman), Mr. Peter Lee and Mr. Phillip Pryor  
Name of Person Charged: Mr. Scott Stefanos  
Town: Longwood  
Track: The Meadows  
Date: 9 November 2016  
GAR No: 83 (2)(3)

Offence Charged: Mr. Scott Stefanos failed to present the greyhound 'Shocking Onyx' free of any prohibited substance for an event at The Meadows meeting held on 9 November 2016.

### **REPORT:**

Following advice from Racing Analytical Services Laboratory, the Stewards of Greyhound Racing Victoria conducted an investigation into the results of a post-race urine sample taken from the greyhound 'Shocking Onyx' at The Meadows meeting held on 9 November 2016.

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

After considering the evidence, Stewards charged Mr. Stefanos with a breach of Greyhounds Australasia Rule 83(2)(3) in that he failed to present the greyhound 'Shocking Onyx' free of any prohibited substance for an event at The Meadows meeting held on 9 November 2016 given that the post-race urine sample taken from the greyhound indicated the presence of the prohibited substance 4-hydroxyxylazine.

Under Rule 47.1 of the Greyhound Racing Victoria Local Rules a breach of GAR83 (2)(3) constitutes a Serious Offence. As a result on Monday, 24 April 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.

The Racing Appeals & Disciplinary Board (RADB) is established under section 83B of the Racing Act (1958). The RADB is an independent Board established to hear and determine appeals in relation to decisions made under the rules to impose penalties on persons and to hear and determine charges made against persons for serious offences.

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Mr. Scott Stefanos represented himself.

Ms. Jade Murphy GRV Senior Lawyer represented the Stewards Panel.

Mr. Scott Stefanos pleaded guilty to the charge.

### **DECISION:**

1. Mr. Scott Stefanos is a registered greyhound trainer and the trainer of the greyhound "Shocking Onyx". Mr. Stefanos has been a public trainer since 2001 and has been involved with greyhounds for most of his life.
2. Shocking Onyx competed in and won race 5 at the Meadows on 9 November 2016. A post-race urine sample taken from the greyhound detected the presence of the prohibited substance 4-hydroxyxylazine, which is a metabolite of Xylazine.
3. Xylazine is a depressant which has sedative and pain relief effects as well as muscle relaxant properties. It is not performance enhancing but may be performance enabling. However, Dr. Karamatic, the Chief Veterinarian of Greyhound Racing Victoria ("GRV") has said that it is "capable of affecting the condition, behaviour or performance of a greyhound with any effect more likely to be negative".
4. Stewards of GRV have charged Mr. Stefanos with presenting Shocking Onyx for an event and failing to do so with the greyhound being free of a prohibited substance. It is an offence of absolute liability with no requirement on the Stewards to prove knowing administration of the prohibited substance.
5. Mr. Stefanos has pleaded guilty. We find the charge proven. Before a Stewards investigation and before the Board, Mr. Stefanos claimed that the source of the Xylazine was his use of knackery meat rather than human consumption meat before Shocking Onyx raced. He was only vaguely aware of the GRV's published feeding guidelines which referred to the dangers of using knackery meat. He has since changed his feeding practices and now predominantly uses kangaroo meat and chicken.
6. Xylazine is a category 3 prohibited substance under GRV's penalty guidelines document. The suggested minimum period of disqualification is 6 months. The Board is not bound by those guidelines but is informed by them when making a decision regarding penalty. In previous cases which involved category 4 prohibited substances the Board has stressed that some period of disqualification is the appropriate penalty when food chain issues are raised by a trainer; see, for example, [Briganti](#) (7 December 2016).

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7. As said in Briganti, the practice has been to substantially ameliorate the penalty when Stewards concede the possibility of food chain issues being related to the positive finding. That concession is made in this case.
8. We repeat the strong message given in Briganti that industry participants must be aware that the trainer is accountable when a greyhound is presented to race other than drug free or at least other than free of a prohibited substance. Otherwise the commitment to a level playing field in the industry will be meaningless.
9. In assessing an appropriate penalty we take into account specific and general deterrence, denunciation, the public interest in drug free racing and animal welfare considerations. We also take into account Mr. Stefanos' guilty plea, his remorse, his cooperation with the Stewards and his good record and very good character. We further take into account other penalties handed down in like matters. Taking all of those matters into account the Board considers that a period of 4 months disqualification is warranted but that all of that period is suspended provided that there are no further breaches of GAR 83 by Mr. Stefanos in the next 12 months. We also impose a financial penalty of \$500. In addition, Shocking Onyx is disqualified from race 5 at The Meadows on 9 November 2016.

.....End.....