

2 February 2023

**DECISION****GREYHOUND RACING VICTORIA**

and

**ANDREA GURRY**

- Date of hearing:** 19 January 2023
- Panel:** Magistrate John Doherty (Deputy Chairperson) and Mr Josh Bornstein.
- Appearances:** Mr Anthony Pearce appeared on behalf of the Stewards.  
Ms Andrea Gurry represented herself.
- Charge:** Greyhounds Australasia Rule ("GAR") 141(1) states:  
(1) The owner, trainer or other person in charge of a greyhound:  
(a) nominated to compete in an Event;  
(b) presented for a satisfactory trial or such other trial as provided for by the Rules; or  
(c) presented for any test or examination for the purpose of a stand-down period being varied or revoked,  
must present the greyhound free of any prohibited substance.
- Particulars of charges:** **Charge 1**
1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhounds Australasia Rules.
  2. You were, at all relevant times, the trainer of the greyhound "Kinimakatka".
  3. Kinimakatka was nominated to compete in Race 10, WIMMERA MALLE VET SERVICES, Grade 7, conducted by the Horsham Greyhound Racing Club at Horsham on 21 June 2022 (the Event).

4. On 21 June 2022, you presented Kinimakatka at the Event not free of any prohibited substance, given that:

(a) A pre-race sample of urine was taken from Kinimakatka upon arrival at the Event (the Sample);

(b) Guaifenesin was detected in the Sample.

### **Charge 2**

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhounds Australasia Rules.

2. You were, at all relevant times, the trainer of the greyhound "Alabama Anna".

3. Alabama Anna was nominated to compete in Race 5, CRYMELON KENNELS, Grade 5, conducted by the Horsham Greyhound Racing Club at Horsham on 21 June 2022 (the Event).

4. On 21 June 2022, you presented Alabama Anna at the Event not free of any prohibited substance, given that:

(a) A pre-race sample of urine was taken from Alabama Anna at the Event (the Sample);

(b) Guaifenesin was detected in the Sample.

**Pleas:** Guilty

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### **DECISION**

Ms Andrea Gurry is a public trainer with a 20 year plus history of involvement in the Greyhound Racing Industry. She has pleaded guilty to two presentation offences occurring on the same day and has not previously been charged with any offences relating to prohibited substances.

There is no direct evidence that she caused the administration or ingestion of the prohibitive substance, guaifenesin. The most likely source of that substance is found within a beef mix fed to the greyhounds purchased from a knackery in Mount Gambier. The meat is unfit for human consumption. The Tribunal notes that Ms Gurry has used this source for six years without any concern about prohibited substances being discovered. We accept that Ms Gurry has changed her feeding regime in order to eliminate the prospect of having another prohibited substance charge laid against her.

On behalf of the Stewards, Mr Anthony Pearce has stressed the need for consistency in penalty and the need for general deterrence, whilst acknowledging that specific deterrence is not a consideration in this case. He has pointed to four like cases that have been determined in the past 12 months and also to the notices to the industry warning that participants should be very cautious when feeding greyhound knackery meat.

We note that Ms Gurry has acknowledged her remorse through her pleas of guilty and also note her cooperation with the Stewards.

Ms Gurry is a full-time trainer with a heavy involvement in the greyhound racing industry. She has what we consider an otherwise excellent record and would be surprised if she were to re-offend in similar circumstances. However, we deem it more appropriate to order fines on both charges.

In the event, we impose the following:

Charge 1: \$500 fine.

Charge 2: \$250 fine.

We also order that “Kinimakatka” be disqualified from Race 10 and “Alabama Anna” be disqualified from Race 5 at Horsham on 21 June 2022.

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Kathleen Scully  
Assistant Registrar, Victorian Racing Tribunal