

3 March 2023

DECISION

GREYHOUND RACING VICTORIA

and

GEOFFREY HOWELL

- Date of hearing:** 23 February 2023
- Panel:** Magistrate John Doherty (Deputy Chairperson) and Judge Julie Nicholson.
- Appearances:** Mr Anthony Pearce appeared on behalf of the Stewards.
Mr Geoffrey Howell represented himself.
- 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 charge:**
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 "Rumour is Fact".
 3. Rumour is Fact was nominated to compete in Race 5, HARD STYLE RICO @ STUD, Grade 5, conducted by the Traralgon Greyhound Racing Club at Traralgon on 6 May 2022 (the Event).
 4. On 6 May 2022, you presented Rumour is Fact at the Event not free of any prohibited substance, given that:

(a) A post-race sample of urine was taken from Rumour is Fact at the Event (the Sample);

(b) Theobromine was detected in the Sample.

Plea: Guilty

DECISION

Mr Geoffrey Howell is a public trainer with over 50 years experience in the greyhound racing industry. He has pleaded guilty to a presentation charge relating to the prohibited substance, theobromine.

There is no evidence of the direct use of that drug by Mr Howell. It is a matter of speculation about how the greyhound, "Rumour is Fact" produced a positive drug sample but the greyhound may have accessed a chocolate product in the day or days leading up to the race the inadvertence of its owner, Mr Graeme Beattie, who also handled the dog on race day. It is worth noting that Mr Howell did not handle the dog on race day.

Mr Howell has a good record in the racing industry. He has one prior matter for a prohibited substance charge in 2018, relating to a worming product. He trains in excess of 20 racing dogs and employs three other staff. He is 74 years of age.

The Tribunal has been provided with a table of recent like cases to assist in determining an appropriate penalty. In our view, there should be consistency in penalties so as to reinforce the principles of general and specific deterrence. There is the need for drug free racing and a level playing field for all participants. However, we acknowledge the factors that mitigate on behalf of Mr Howell, including his plea of guilty and his co-operation with the Stewards.

In the event, we impose a six month period of suspension with five months of that period wholly suspended for a period of 24 months. The effective period of one month suspension shall commence immediately. We also impose a \$1,000 fine. In addition, Rumour is Fact is disqualified from Race 5 at Traralgon on 6 May 2022 and the prize money is forfeited.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal