

1 August 2023

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

and

**JAKE DEAN**

- Date of hearing:** 20 July 2023
- Panel:** Judge John Bowman (Chairperson) and Judge Marilyn Harbison.
- Appearances:** Mr Anthony Pearce appeared on behalf of the Stewards.  
Mr Jake Dean 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 “Send Me Dizzy”.
  3. Send Me Dizzy was nominated to compete in Race 12, SPORTSBET – GO THE BLUE DOG, Grade 5, conducted by the Traralgon Greyhound Racing Club at Traralgon on 12 October 2022 (the Event).
  4. On 12 October 2022, you presented Send Me Dizzy at the Event not free of any prohibited substance, given that:

(a) A pre-race sample of urine was taken from Send Me Dizzy at the Event (the Sample);

(b) Arsenic was detected at a mass concentration of greater than 800 nanograms per millilitre in the Sample.

**Plea:** Guilty

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## **DECISION**

Mr Jake Dean, you are pleading guilty to a breach of Greyhounds Australasia Rule (“GAR”) 141(1). The dog, “Send Me Dizzy”, trained by you, competed in Race 12 at Traralgon on 12 October 2022. It in fact ran last. A pre-race urine sample taken from the dog proved positive to the prohibited substance, arsenic.

It is highly likely that the arsenic reading resulted from the dog’s habit of chewing a type of timber wall within its kennel and possibly from, the chewing of some fence posts. We would refer to the report of Dr Steven Karamatic, Chief Veterinarian, of 14 December 2022. Amongst other things, that contains references to the various notices distributed to the industry since 2016 in relation to the arsenic threshold and Copper Chromatic Arsenate (“CCA”). CCA treated timber used at kennels and yards received specific mention. A clear reminder concerning arsenic and CCA treated timber was sent out in September 2020. Participants in the industry should be well familiar with it.

Your situation is that you are 19 years of age. You have been a licensed trainer since 26 October 2021. You train in conjunction with your mother, who we understand to be also a licensed person. You train on a five acre property in Gippsland and at times have as many as 40 dogs and pups on the premises. You seem to have had some awareness of the risks of arsenic, although perhaps not entirely clear about them. You are now muzzling more dogs, particularly prior to their racing.

We agree with Mr Pearce, on behalf of the Stewards, that there should be consistency in penalties and the reinforcement of deterrence when it comes to prohibited substances. We also bear in mind the penalties imposed in other cases.

In your particular case, we take into account your age and relative inexperience in the industry. In that short time, you do not appear to have committed any similar offence.

Given the alert that the industry has been put on in relation to arsenic and bearing in mind the penalties imposed in some like cases, we are of the view that some period of suspension should be imposed.

However, in the circumstances of your case, including your age and relative inexperience, we impose a penalty of six months suspension, but of that period of suspension, five months is in turn suspended for a period of 24 months. In other words, effectively, you are suspended for a period of one month, but a further five months suspension will be activated if you commit a relevant offence in the next 24 months.

Finally, Send Me Dizzy is disqualified from Race 12 at Traralgon on 12 October 2022 and the finishing order is amended accordingly.

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Kathleen Scully  
Assistant Registrar, Victorian Racing Tribunal