

25 January 2023

DECISION

GREYHOUND RACING VICTORIA

and

JOHN CAULFIELD

- Date of hearing:** 10 January 2023
- Panel:** Justice Shane Marshall (Deputy Chairperson) and Mr Robert Abrahams.
- Appearances:** Ms Yana Podolskaya appeared on behalf of the Stewards.
Mr John Caulfield represented himself.
- Charges:** 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.
- GAR 151(3) states:
(3) Each record of treatment kept in accordance with this rule must be made by midnight on the day on which the treatment was given, and, as a minimum requirement, include the following information:
(a) the name of the greyhound;
(b) the date and time of administration of the treatment;
(c) the name of the treatment (brand name or active constituent);
(d) the route of administration;
(e) the amount given; and
(f) the name and signature of the person or persons administering and/or authorising the treatment.

For the purpose of subrule (3), “day” means the 24-hour period from 12.00am to 11.59pm on any calendar day.

Particulars of charges: Charge 1: GAR 141(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 “Ertugrul Bey”.
3. Ertugrul Bey was nominated to compete in Race 8, SHEPPARTON WORKWEAR & SAFETY, Mixed 4/5, conducted by the Shepparton Greyhound Racing Club at Shepparton on 16 May 2022 (the Event).
4. On 16 May 2022, you presented Ertugrul Bey at the Event not free of any prohibited substance, given that:
 - (a) A pre-race sample of urine was taken from Ertugrul Bey upon arrival at the Event (the Sample);
 - (b) Guaifenesin was detected in the Sample.

Charge 2: GAR 151(3)

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhound Racing Victoria Rules of Racing.
2. On 22 June 2022, you presented treatment records for inspection, upon request from GRV Steward Roslyn FAZULLA, a person authorised by the Controlling Body, for greyhounds for which you were the responsible person at the relevant time.
3. You did fail to record the minimum requirements for treatments recorded by you, namely the treatment ‘worming’ recorded in a treatment book, in that you:

(a) failed to record the date and time of administration of the treatment;

(b) failed to record the name of the treatment by brand name or active constituent;

(c) failed to record the route of administration of the treatment;

(d) failed to record the amount of the treatment given;

(e) failed to record the signature of person or persons administering and/or authorising the treatment.

Plea: Guilty

DECISION

1. Mr John Caulfield is a registered greyhound trainer with about 40 years experience in the industry, most of it as a trainer. He is a hobby trainer with a small team of greyhounds.
2. On 16 May 2022, "Ertugrul Bey", a greyhound trained by Mr Caulfield, was entered and raced in Race 8 at Shepparton. A pre-race swab revealed the presence of the muscle relaxant drug, guaifenesin. The most likely cause of the positive swab was the feeding of knackery meat to the greyhound in error. Usually only fit for human consumption meat is fed to racing greyhounds by Mr Caulfield, with knackery meat fed to his retired dogs and pups. Mr Caulfield had not been doing the feeds at the relevant time due to illness, but his partner did so under his instructions. He remains responsible for the transgression and has pleaded guilty to a presentation charge under Greyhounds Australasia Rule ("GAR") 141(1).
3. As stated, Mr Caulfield made an early guilty plea to the offence of presenting a greyhound for an event whilst not free of a prohibited substance. The prohibited substance, guaifenesin, is a muscle relaxant. It has the capacity to affect the condition and performance of a greyhound in a negative way.
4. At a kennel inspection concerning the investigation of the presentation offence, Stewards observed that Mr Caulfield's treatment records were deficient, because the entry for "worming" did not contain the detail required by GAR 151(3) regarding the date and time of the administration of the treatment, the brand name or active ingredient, the name of

the administration and the amount given. Mr Caufield also pleaded guilty to that offence at the earliest opportunity.

5. In setting penalties, we take into account general and specific deterrence and the importance of having a level playing field by keeping prohibited drugs out of the industry. We also take into account penalties given in like recent cases, as well as Mr Caufield's very good record.
 6. In all the circumstances, on the presentation charge we impose a fine of \$1,500 with \$800 suspended for 24 months pending no further breach of the relevant Rule. On the treatment record book charge, we impose a fine of \$300.
 7. In addition, Ertugrul Bey is disqualified from Race 8 at Shepparton on 16 May 2022.
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Kathleen Scully
Acting Registrar, Victorian Racing Tribunal