

1 August 2023

## **DECISION**

**GREYHOUND RACING VICTORIA**

and

**SANDRA GALEA**

and

**JOHN GALEA**

- Date of hearing:** 26 July 2023
- Panel:** Judge John Bowman (Chairperson) and Mr Greg Childs.
- Appearances:** Mr Anthony Pearce appeared on behalf of the Stewards.  
Mrs Sandra Galea represented herself.  
Mr John Galea represented himself.
- Charges:** Greyhounds Australasia Rule ("GAR") 83(2) states:  
(2) The owner, trainer or person in charge of a greyhound-  
(a) nominated to compete in an Event;  
(b) presented for a satisfactory, weight or whelping trial or such other trial as provided for pursuant to these Rules;  
(c) presented for any test or examination for the purpose of a period of incapacitation or prohibition being varied or revoked shall present the greyhound free of any prohibited substance.
- GAR 139(3)(a) states:  
(3) When a sample taken from a greyhound being trained by a trainer or in the care of a registered person has been established to contain a permanently banned prohibited substance:  
(a) the trainer and any other person who was in charge of the relevant greyhound at the relevant time shall be guilty of an offence.

**Particulars of charges: Sandra Galea**

**Charge 1: GAR 83(2)**

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria (GRV) (Member No. 43718) and a person bound by the Greyhound Australasia Rules and Local Racing Rules.
2. You were, at all relevant times, the trainer of the greyhound "Yelich" (QJAJW).
3. Yelich was nominated to and competed in, Race 7, RICH RIVER GOLF CLUB, Grade 5, conducted by the Shepparton Greyhound Racing Club at Shepparton on 18 April 2022 (the Event).
4. On 18 April 2022, Yelich was presented at the Event not free of a permanently banned prohibited substance, given that:
  - (a) A pre-race sample of urine was taken from Yelich at the Event (the Sample);
  - (b) Amphetamine, 4-hydroxyamphetamine, methamphetamine and 4-hydroxymethamphetamine were detected in the Sample.
5. Amphetamine, 4-hydroxyamphetamine, methamphetamine and 4-hydroxymethamphetamine are permanently banned prohibited substances.
6. At the time of the relevant conduct described, it was an offence under Greyhounds Australasia Rule 83(2)(a) (as then in force) to engage in the conduct described in particular 4.
7. By reason of Greyhounds Australasia Rule 2 (as currently in force), the rescinding or variation of the Old Rules and commencement of the New Rules does not:
  - (a) affect the previous operation of the Old Rules (including Rule 83(2)(a));

(b) affect any obligation or liability imposed, created or incurred prior to the rescission or variation of the Old Rules (including by virtue of Rule 83(2)(a)); or

(c) affect any penalty incurred, or liable to be incurred, in respect of any offence committed pursuant to the Old Rules (including a breach of Rule 83(2)(a)).

**Charge 2: GAR 139(3)(a)**

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria (GRV) (Member No. 43718) and a person bound by the Greyhound Australasia Rules and Local Racing Rules.
2. You were, at all relevant times, the trainer of the greyhound Unnamed (VJAVS).
3. An out of competition test sample was taken from Unnamed (VJAVS) at your registered kennel address in Kurunjang, Victoria on 6 June 2022.
4. Amphetamine and methamphetamine were detected in the Sample.
5. Amphetamine and methamphetamine are permanently banned prohibited substances.

**Charge 3: GAR 139(3)(a)**

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria (GRV) (Member No. 43718) and a person bound by the Greyhound Australasia Rules and Local Racing Rules.
2. You were, at all relevant times, the trainer of the greyhound Unnamed (VJYBY).
3. An out of competition test sample was taken from Unnamed (VJYBY) at your registered kennel address in Kurunjang, Victoria on 6 June 2022.
4. Unnamed (VJYBY) has since been named "Dashing Daxton".

5. Amphetamine and methamphetamine were detected in the Sample.
6. Amphetamine and methamphetamine are permanently banned prohibited substances.

**John Galea**

**Charge 1: GAR 139(3)(a)**

1. You were at all relevant times, a trainer licensed by Greyhound Racing Victoria (member no. 36762) and a person bound by the Greyhound Australasia Rules and Local Racing Rules.
2. You were, at all relevant times, the trainer of the greyhound "Major Boy" (VJYBU).
3. An out of competition test sample was taken from Major Boy at your registered kennel address in Kurunjang, Victoria on 19 July 2022.
4. Amphetamine and methamphetamine were detected in the Sample.
5. Amphetamine and methamphetamine are permanently banned prohibited substances.

**Charge 2: GAR 139(3)(a)**

1. You were at all relevant times, a trainer licensed by Greyhound Racing Victoria (member no. 36762) and a person bound by the Greyhound Australasia Rules and Local Racing Rules.
2. You were, at all relevant times, the trainer of the greyhound Unnamed (VJOKE).
3. An out of competition test sample was taken from Unnamed (VJOKE) at your registered in Kurunjang, Victoria on 19 July 2022.
4. Unnamed (VJOKE) has since been named "Pierce".

5. Amphetamine and methamphetamine were detected in the Sample
6. Amphetamine and methamphetamine are permanently banned prohibited substances.

**Charge 3: GAR 139(3)(a)**

1. You were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhound Australasia Rules and Local Racing Rules.
2. You were, at all relevant times, the trainer of the greyhound "Mepunga Flame" (VDPJB).
3. An out of competition test sample was taken from Mepunga Flame at your registered kennel address in Kurunjang, Victoria on 20 July 2022.
4. Amphetamine, 4-hydroxyamphetamine, methamphetamine and were detected in the Sample.
5. Amphetamine, 4-hydroxyamphetamine, methamphetamine and 4-hydroxymethamphetamine are permanently banned prohibited substances.

<b>Pleas:</b>	<b>Sandra Galea:</b>	Guilty to all charges
	<b>John Galea:</b>	Guilty to all charges

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**DECISION**

Mr John Galea and Mrs Sandra Galea, you are each charged with three offences. The actual offences are not identical, but the background and circumstances of them arise from the same set of facts. Indeed, the penalties sought by Mr Pearce, on behalf of the Stewards, are identical for each of them. They are each pleading guilty to the three charges in question.

The sequence of events and charges commenced with a positive pre-race swab taken from the dog, "Yelich", which competed in Race 7 at Shepparton on 18 April 2022. That sample proved positive to prohibited substances, including and associated with amphetamine. In the ranks of prohibited substances, amphetamine would rank towards the most serious end of

such substances. The dog was trained by Mrs Sandra Galea, but had been taken to Shepparton and presented for the race by Mr John Galea.

After Racing Analytical Services Limited (“RASL”) reported back to the Stewards on 1 June 2022, the Stewards attended at the property and kennels of Mr and Mrs Galea on 6 June. They were at a loss to explain the positive reading. Whilst at the kennels, Stewards took out of competition swabs from two other dogs owned by Mrs Galea. Both Mr and Mrs Galea were at a loss to explain positive swabs taken from Yelich at Shepparton. Stewards could find nothing at the kennels or on the premises that contained or indicated the presence of amphetamine substances.

Without going into the details, the samples taken from the two other dogs at the kennels on 6 June also proved positive to amphetamine and methamphetamine. On 19 July, further samples were taken from another six dogs. Further swabs were taken on 20 July 2022. We shall not go through the results in detail. We would also point out that, on 27 June 2022, Mrs Galea transferred all dogs in her name as an owner and trainer into the name of her husband.

Thus, the whole situation is a trifle complicated and messy. On 4 August 2022, Mr John Galea contacted the Stewards and advised that an independent inspection of the kennels had been undertaken. The carpet in the kennels had been identified as containing amphetamine and a reported analysis confirmed this. The Stewards do not challenge this. In his report of 24 September 2022, Dr Steve Karamatic has stated that the presence of the substances resulted from inadvertent exposure. He also referred to contaminated carpet bedding.

Mr and Mrs Galea had for years used unwanted carpet as bedding for their dogs. Mr Galea obtained such carpet from disposed bins at establishments, such as Carpet Court. There is no challenge to the proposition that this was the most likely source of the amphetamine. Carpets removed from establishments occupied by drug users is the most likely cause, and we accept this.

Mr and Mrs Galea no longer use second hand carpet from bins in their kennels. Unfortunately, this was too late, given the positive returns obtained. It was a risk that, probably in the interests of economy, they were prepared to take. Mr Pearce drew an analogy with knacker meat, which is a useful comparison. Risks taken for the purposes of economy can prove to be not worthwhile.

Both Mr and Mrs Galea have been in the greyhound racing industry for many years. They both have excellent records. We gather that their kennels and facilities are in top class order, apart from this failure, which has now been remedied. They have in excess of 30 dogs at their kennels and essentially race them all themselves. For some time, they had approximately 100

dogs, but deliberately reduced that number. They are in the process of moving into new kennels and a track, all this being on a substantial property.

What occurred in this case was very much false economy. Positive returns to a very serious prohibited substance resulted. A risk was taken, and the results have been devastating for them. It is frequently stated that offences involving prohibited substances damage the integrity of greyhound racing and damage the confidence of the public in relation to it being a fair and level playing field. This has been stated in many decisions and need not be repeated here. But for the unusual circumstances and particularly excellent records of Mr and Mrs Galea, more stern penalties, quite possibly involving disqualification, may have been sought and could well have been imposed.

We have come to the following conclusions in relation to penalty.

Mrs Galea was the trainer of Yelich at the time of its positive return. This is in addition to her shared kennel responsibilities at the time of Charges 2 and 3. She does not really challenge the penalties proposed by the Stewards.

On Charge 1, Mrs Galea is suspended for a period of 12 months, six months of which is in turn suspended for a period of 24 months. That latter suspension will only be activated if a further similar offence is committed during that period. We are confident that this will not happen.

On Charges 2 and 3, Mrs Galea is suspended for 12 months, with six months suspended for 24 months on each charge. However, those penalties are wholly concurrent with the penalty imposed on Charge 1.

We also note that Mrs Galea was in fact immediately suspended on 21 July 2022 for a period of six weeks and five days in relation to Charge 1. That shall be taken into account and the time of suspension applicable for Charge 1 is reduced accordingly.

In relation to Mr Galea, the penalties are as follows and we bear in mind that he was not the actual trainer of Yelich when this whole unfortunate chain of circumstances commenced. We also bear in mind the length's to which he has gone to establish the cause of the problem and the remedied steps he has since taken.

Given those circumstances, we are of the view that, on Charge 1, he should be suspended for a period of 12 months, but nine months of that period is in turn suspended for a period of 24 months. On Charges 2 and 3, he is in each instance suspended for a period of 12 months with nine months of that period in turn suspended for a period of 24 months. However, those penalties are wholly concurrent with the penalty imposed on Charge 1. The period of

suspended suspension will only be activated if a similar offence is committed. The bottom line is immediate suspension for three months.

Finally, Yelich is disqualified from Race 7 at Shepparton on 18 April 2022 and the finishing order is amended accordingly.

Given the complicated nature of these matters, we do reserve liberty to apply if any clarifications, particularly of the penalties, is required.

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Kathleen Scully  
Assistant Registrar, Victorian Racing Tribunal