

1 November 2023

DECISION

GREYHOUND RACING VICTORIA

and

WILLIAM DAWES SNR

- Date of hearing:** 25 October 2023
- Panel:** Judge Kathryn Kings (Deputy Chairperson) and Mr Des Gleeson.
- Appearances:** Mr Anthony Pearce appeared on behalf of the Stewards.
Mr William Dawes Jnr represented Mr William Dawes Snr.
- 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:**
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 “Mega Banjo”.
 3. “Mega Banjo” was nominated to compete in Race 3, FIND US ON FACEBOOK, Tier 3 – Maiden, conducted by the Warragul Greyhound Racing Club at Warragul on 29 December 2022 (**the Event**).
 4. On 29 December 2022, you presented “Mega Banjo” at the Event not free of any prohibited substance, given that:

- (a) A pre-race sample of urine was taken from “Mega Banjo” at the Event (**the Sample**);
- (b) Caffeine, Theophylline, Paraxanthine and Theobromine were detected in the Sample.

Plea: Guilty

DECISION

Mr William Dawes Senior is a registered greyhound trainer who has been in the industry on and off for about 50 years. He was at all material times the trainer of the greyhound, Mega Banjo.

Mega Banjo was nominated to compete in Race 3 the “Find Us on Facebook,” Tier 3 Maiden conducted by the Warragul Greyhound Racing Club at Warragul on 29 December 2022, the Event.

On 29 December Mr Dawes presented Mega Banjo at the event not free of any prohibited substance, given that:

- A pre-race sample of urine was taken from Mega Banjo at the Event.
- Caffeine and its metabolites Theophylline, Paraxanthine and Theobromine were detected in the sample.
- Caffeine and its metabolites fall within the category of stimulants, depressants and other prohibited substances.

The Stewards of Greyhound Racing Victoria (GRV) have charged Mr Dawes with a presentation offence under the Greyhound Australasia Rule (“GAR”) 141(1), by reason of him presenting Mega Banjo for an event while not free of a prohibited substance. Caffeine and its metabolites is a prohibited substance.

The GRV Chief Veterinarian surgeon, Dr Steve Karamatic provided a report concerning the finding of Caffeine and its metabolites. He was aware that Al cafe instant coffee was found during the kennel inspection. He referred to the statement of Mr Berkhout, Steward, that the Dawes kept instant coffee in the kennel area close to where the greyhound food was prepared and during the inspection Mr Dawes made a coffee and sat down within proximity to the greyhounds. Dr Karamatic said coffee containing caffeine, if ingested by a greyhound close to racing, could cause caffeine and its metabolites to be detected. There was some suggestion

that there may have been possible cross contamination with the use of a spoon between the coffee and the honey which was fed to the dogs.

Dr Karamatic said that the detection of Caffeine and its metabolites confirms the presence of a prohibited substance. The prohibited substance caffeine and its metabolites are capable of affecting the condition, behaviour or performance of a greyhound. Dr Karamatic certified that caffeine and its metabolites are substances within the definition of Prohibited Substances as set out in the GARs. He said that under the Penalty Guidelines they are categorised as stimulants, depressants, and other prohibited substances.

Mr Dawes senior pleaded guilty at an early stage to the offence and has co-operated with the Stewards. In imposing a penalty, we take into account his guilty plea and the importance of specific and general deterrence. We also take into account the importance of keeping a level playing field by having a drug free industry. We further take into consideration recent penalties in like matters and Mr Dawes' excellent record. He has no prior charges of this kind. We also accept Mr Dawes evidence that this was inadvertent and that he has changed where he drinks his coffee. Mr Dawes is 85. He is limited in what he can do and derives great satisfaction from feeding his dogs. He lives on the same property with his son, who assists him.

In all the circumstances, we impose a penalty of 4 months suspension, which is fully suspended for 24 months pending no further breach of the Rules relating to prohibited substances. We impose a fine of \$500.

Additionally, Mega Banjo is disqualified from Race 3 at Warragul on 29 December 2022 and the finishing order is amended accordingly.

Mark Howard
Registrar, Victorian Racing Tribunal