

22 January 2023

## **DECISION**

### **GREYHOUND RACING VICTORIA**

**and**

### **CAROLYN JONES**

- Date of hearing:** 12 January 2024
- Panel:** Justice Shane Marshall (Deputy Chairperson) and Mr Greg Childs.
- Appearances:** Ms Yana Podolskaya appeared on behalf of the Stewards.  
Ms Carolyn Jones represented herself.
- 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 “My Juanita”.
  3. My Juanita was nominated to compete in Race 4, HOOKED ON SCOTCH @ STUD (1-3 WINS), Restricted Win, conducted by the Traralgon Greyhound Racing Club at Traralgon on 7 April 2023 (the Event).

4. On 7 April 2023, you presented My Juanita at the Event not free of any prohibited substance, given that:

(a) A pre-race sample of urine was taken from My Juanita at the Event (the Sample);

(b) Gabapentin was detected in the Sample.

**Plea:** Guilty

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## **DECISION**

1. Ms Carolyn Jones is a registered greyhound trainer and the trainer of the greyhound “My Juanita”. My Juanita was entered to compete in Race 4 at Traralgon on 7 April 2023. A pre-race swab taken from the greyhound showed the presence of gabapentin. Gabapentin is a prohibited substance under the Greyhound Australasia Rules (“GARs”).
2. Stewards of Greyhound Racing Victoria (“GRV”) have charged Ms Jones with an offence under GAR 141(1), in that she presented a greyhound for an event while not free of a prohibited substance. Ms Jones has pleaded guilty to the offence.
3. Gabapentin is an analgesic, anti-convulsant drug which is commonly used to alleviate chronic pain in horses and dogs. It may also be found in knackery meat, according to GRV Chief Veterinarian, Dr Steven Karamatic, as it may be given to horses prior to being euthanised. It is also available in a tablet form under the brand name “Neurontin”. It is capable of affecting the condition or performance of a greyhound by inducing an artificially pain free state.
4. The most likely cause of the positive swab is cross contamination from another greyhound, which was being temporarily housed at Ms Jones’ kennel address. That greyhound was on Neurontin tablets for chronic pain relief.
5. In setting a penalty, we take into account the guilty plea, Ms Jones’ good record over many years and her cooperation with Stewards. We also take into account general and specific deterrence and the importance of having a drug free industry which provides a level playing field for participants. We also take into account a recent matter in which a penalty was given for transgression of GAR 141 involving gabapentin.

6. In all the circumstances, we impose a penalty of a fine of \$2,000 with \$1,500 suspended for a period of 24 months, pending no further breach of the Rules of greyhound racing regarding prohibited substances in that time.
7. As the event was declared a no-race, it is unnecessary to order under GAR 141(4) that the greyhound is disqualified from the event, as there was no event. GAR 141(1) was nonetheless breached, because the greyhound was presented for an event and had a pre-race swab. GAR 141(4) also refers to a greyhound being disqualified from receiving any benefit from the race. As no benefit was received, it is unnecessary to make any such order. However, it should be noted that an order for disqualification from an event would, as a matter of necessity, require repayment of prize money that had been won by the disqualified dog. That has been the practice of this Tribunal and its predecessor, the GRV Racing Appeals and Disciplinary Board ("RADB").
8. GAR 141(4) refers to a greyhound presented on breach of GAR 141(1) being "disqualified from the relevant event" when it refers to being disqualified from "receiving any benefits" it is specifically in the context of "trial test or an examination". This supports the view that an order for disqualification from an event which is an actual race does not require an accompanying order for return of the prize money and that it is an automatic consequence of the disqualification from the race.
9. We have taken the trouble to undertake the above analysis given the submission by Ms Podolskaya for the GRV Stewards that we should have an order for review of prize money. In any event, it is unnecessary to do so, as none was earned in this matter.

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Kathleen Scully  
Acting Registrar, Victorian Racing Tribunal