

28 August 2024

DECISION

GREYHOUND RACING VICTORIA

and

DAVID BOTTRELL

Date of hearing: 6 March 2024

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Panel: Judge Kathryn Kings (Deputy Chairperson) and Dr June Smith.

Appearances: Mr Anthony Pearce appeared on behalf of the Stewards.
Mr David Bottrell represented himself.

Charge: Greyhounds Australasia Rule ("GAR") 141(1) states:

Greyhound to be free of prohibited substances

(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 "Mighty Innings".

3. *“Mighty Innings”* was nominated to compete in Race 1, SPORTSBET GREEN TICKS, Tier 3 – Maiden, conducted by the Healesville Greyhound Racing Association at Healesville on 18 August 2023 (**the Event**).

4. On 18 August 2023, you presented *“Mighty Innings”* at the Event not free of any prohibited substance, given that:

- (a) A pre-race sample of urine was taken from *“Mighty Innings”* upon arrival at the Event (**the Sample**);
- (b) Procaine was detected in the Sample.

Plea: Guilty

DECISION

Mr David Bottrell is a trainer licensed by Greyhound Racing Victoria and bound by the Greyhound Australasia Rules. He has been licensed for 23 years. Mr Bottrell is the trainer of Mighty Innings.

Mighty Innings was nominated to compete in Race 1 at Healesville on 18 August 2023.

On 18 August 2023 Mighty Innings was presented at the event when not free of any prohibited substance, given that a pre-race sample of urine was taken at the event (the sample) and Procaine was detected.

Mr Bottrell was charged with a presentation offence under Greyhounds Australasia Rule 141(1) by reason of presenting Mighty Innings for an event while not free of any prohibited substance.

Mr Bottrell pleaded guilty to the charge.

The Greyhound Chief Veterinarian, Dr Steven Karamatic provided a report dated 5 October 2023. Dr Karamatic confirmed that Procaine is a prohibited substance under the Greyhounds Australasia Rules and is placed in the category of “Therapeutic Substances” under Greyhound Racing Victoria’s Penalty Guidelines. There were no products found during kennel inspection as listed in the Swab Irregularity Report that would be liable to contain procaine. Unfit for human consumption meat from Lysterfield Discount Supplies Eco Pet Dandenong seems a likely explanation for the detection of procaine it having been fed to this greyhound every day up until the evening prior to this race day sample. Further, Dr Karamatic said participants in

the industry have been alerted to the potential risk of feeding knackery meat to greyhounds in publications published in 2016 and July 2020.

Dr Karamatic said that the prohibited substance Procaine is capable of affecting the condition or performance of a greyhound by inducing an artificially pain free state. Mr Bottrell stated that he had not given procaine to the greyhound. We accept the feeding of knackery meat to the greyhound is the likely explanation for the finding of procaine.

Mr Bottrell pleaded guilty at an early stage and has cooperated throughout the investigation with the Stewards.

In imposing a penalty, we have taken into account his guilty plea, his co-operation with the Stewards and the importance of specific and general deterrence. We also acknowledge the importance of maintaining a level playing field by having a drug free industry. We take into account penalties in like matters.

We note that Mr Bottrell had a relevant prior offence in 2021. We accept the submissions of the Stewards in relation to penalty. In all the circumstances, we impose a penalty of 3 months suspension, wholly suspended for 24 months and a fine of \$2,000, with \$1,000 wholly suspended for 24 months.

Mighty Innings is disqualified from Race 1 at Healesville on 18 August 2023 and the finishing order is amended accordingly.

Mark Howard
Registrar, Victorian Racing Tribunal