

22 July 2024

## **DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**JASON TOLSON**

- Date of hearing:** 3 July 2024
- Date of decision:** 3 July 2024
- Panel:** Judge Kathryn Kings (Deputy Chairperson) and Dr June Smith.
- Appearances:** Mr Timothy Brook appeared on behalf of the Stewards.  
Mr Jason Tolson represented himself.
- 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 “Zipping Swazi”.
  3. Zipping Swazi was nominated to compete in Race 7, AG TYRES & WHEELS, Grade 5 T3, conducted by the Bendigo Greyhound Racing Association at Bendigo on 8 November 2023 (the Event).

4. On 8 November 2023, you presented Zipping Swazi at the Event not free of any prohibited substance, given that:

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

(b) Diclofenac was detected in the Sample.

**Plea:** Guilty

---

## **DECISION**

Mr Jason Tolson is a trainer licensed by Greyhound Racing Victoria (“GRV”) and a person bound by the Greyhounds Australasia Rules (“GAR”). Mr Tolson has been in the industry for approximately 33 years.

At all relevant times, Mr Tolson was the trainer of the greyhound, “Zipping Swazi”. Zipping Swazi was nominated to compete in Race 7 at Bendigo on 8 November 2023. Mr Tolson presented Zipping Swazi not free of a prohibited substance in that a pre-race urine sample detected the presence of the prohibited substance, diclofenac.

In a report dated 8 January 2024, Dr Steven Karamatic, the Chief Veterinarian of GRV, confirmed that diclofenac is a prohibited substance as defined by the GAR and is capable of affecting the nervous, the digestive and the musculo-skeletal and urinary systems. Diclofenac is placed in the category “therapeutic substances” of the GRV Penalty Guidelines because of its drug class and therapeutic use in humans, rather than therapeutic use in dogs. There was a product listed in the Swab Irregularity Report, “Voltaren Osteo Gel 12 Hourly” that contained diclofenac. The Stewards were advised by Mr Tolson that the product was used for his back issues. Dr Karamatic said diclofenac is a non-steroidal, anti-inflammatory drug and is used on people, commonly used for post operative pain relief. Dr Karamatic referred to Notices to the Industry warning participants of the need to be vigilant regarding the use of non-veterinary human and over the counter products which can result in positive swabs due to cross contamination and the need to wash hands and not to store personal medications around greyhounds.

Mr Tolson could identify the substance, as he had previously been charged with an irregularity for diclofenac but stated he does not use diclofenac on his greyhounds but uses it himself due to back issues. Mr Tolson also said that his son suffers from muscular dystrophy and he was complaining of pain in his shoulders. Mr Tolson was using the same table to massage his son’s shoulder immediately before conducting an ultrasound on his greyhound, using the same

table and the same towel. Mr Tolson further said that he uses Voltaren himself in the form of tablets. Since receiving the positive sample, he has introduced new protocols. Now, his wife applies Voltaren to their son and Mr Tolson wears gloves when feeding the greyhounds.

In imposing a penalty, the Tribunal takes into account his plea of guilty, 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 his long history in the industry. We take into account the submissions of the Stewards in relation to penalty.

In all the circumstances, we impose a penalty of a fine of \$1,500, with \$500 suspended for 12 months pending no further relevant offences in that time.

In addition, Zipping Swazi is disqualified from Race 7 at Bendigo on 8 November 2023 and the finishing order is amended accordingly.

---

Kathleen Scully  
Assistant Registrar, Victorian Racing Tribunal