

7 March 2024

DECISION

GREYHOUND RACING VICTORIA

and

JAYDEN CASSAR

- Date of hearing:** 5 March 2024
- Panel:** Judge Marilyn Harbison (Deputy Chairperson) and Ms Heidi Keighran.
- Appearances:** Mr Timothy Brook appeared on behalf of the Stewards.
Mr Jayden Cassar 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.
- GAR 151(1) states:
(1) The person in charge of a greyhound must keep and retain written records detailing all vaccinations, antiparasitics and treatments administered to the greyhound:
(a) from the time the greyhound enters their care until the greyhound leaves their care; and
(b) for a minimum of two years
- Particulars:** **Charge 1: GAR 141(1)**
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 “Windy Biscuit”.

3. Windy Biscuit was nominated to compete in Race 4, BALLARAT TIER 3 CUP PRELUDE 4 (0-3 WINS), Tier 3 – Restricted Win, conducted by the Ballarat Greyhound Racing Club at Ballarat on 7 August 2023 (the Event).

4. On 7 August 2023, you presented Windy Biscuit at the Event not free of any prohibited substance, given that:

(a) A pre-race sample of urine was taken from Windy Biscuit upon arrival at the Event (the Sample);

(b) Caffeine, Theophylline, Paraxanthine and Theobromine were detected in the Sample.

Charge 2: GAR 151(1)

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhound Racing Victoria Rules of Racing.

2. On 8 September 2023, you failed to produce treatment records for inspection, upon request from Mr Max Hayden-Evans, a Steward and person authorised by the Controlling Body, for greyhounds for which you were the responsible person at the relevant time.

Pleas: Guilty

DECISION

1. Mr Jayden Cassar has been a greyhound owner and trainer for approximately three years. He is the hobby owner and trainer of the greyhound “Windy Biscuit”, which raced on 7 August 2023 at Ballarat. A pre-race urine sample was taken from the greyhound and returned a positive swab to caffeine and its metabolites, theophylline, paraxanthine and theobromine. He is therefore charged with one presentation offence arising out of that circumstance.

2. There is only one veterinary product which contains caffeine. It is an appetite stimulant. There is no suggestion in this case that this product was used by Mr Cassar. Caffeine and its metabolites are stimulants which increase the metabolic rate of a dog and stimulate its central nervous system. Thus, caffeine improves performance in greyhounds. It is commonly found in chocolate, coffee, tea, soft drinks and energy drinks.
3. Mr Cassar was visited by the Stewards on 8 September 2023, and participated in a preliminary inquiry on 2 November 2023. On those occasions, he told the Stewards that he could think of nothing at his kennels which had caused the caffeine to be ingested by the dog. At the time of the visit on 8 September 2023, the Stewards undertook a kennel inspection and could find nothing at the kennels which contained caffeine.
4. Mr Cassar had no explanation as to how the caffeine came to be present in the dog. He wondered whether his children may have patted the dog after eating chocolates, but agreed that this was just speculation. He has repeated that suggestion to us at this hearing.
5. At the time of the kennel inspection, it was noted that he had no records at all of treatment for any of the dogs on his property. He explained that he would simply write his treatment notes on a piece of paper and sometimes that paper could be blown away. He housed his dogs in a garage with a roller door and said that when the roller door opened, sometimes the wind would blow his notes around. He seemed quite ill-informed at that time about his obligations regarding record keeping.
6. He has thus been charged with one presentation offence and one offence of failure to keep treatment records.
7. Mr Cassar has pleaded guilty to each charge. He was fully co-operative with the Stewards. He has expressed his remorse to us. He now recognises that his approach to the precautions that must be taken to ensure that his greyhounds do not ingest prohibited substances has been defective, as has his record keeping. He has changed the layout of his kennels so that his small children do not have unfettered access to the dogs. He was accustomed to feeding knackery meat, but now has changed to kangaroo meat in an endeavour to avoid further potential for contamination.
8. In sentencing him we take into account the matters which he outlined to us at the hearing.
9. We remain concerned that in the past Mr Cassar does not seem to have taken his responsibilities seriously. This is indicated by his cavalier approach to the keeping of treatment records and to the allowing of access of his family to the kennels. We take into

account that he has little experience in the industry and trust that this hearing has been a sobering experience for him and will educate him somewhat as to his responsibilities.

10. On Charge 1, the presentation charge, we impose a penalty of four months suspension, which is wholly suspended for 24 months. We have imposed a longer than usual suspension period to enable some defacto supervision of Mr Cassar's practices into the future.
 11. On Charge 2, the charge relating to treatment records, we impose a penalty of a fine of \$300.
 12. In addition, Windy Biscuit is disqualified from Race 4 at Ballarat on 7 August 2023 and the finishing order is amended accordingly.
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Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal