

24 January 2024

DECISION

GREYHOUND RACING VICTORIA

and

JUDITH McCULLAGH

- Date of hearing:** 16 January 2024
- Panel:** Judge Kathryn Kings (Deputy Chairperson) and Dr June Smith.
- Appearances:** Mr Anthony Pearce appeared on behalf of the Stewards.
Ms Judith McCullagh 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 “Summer Season”.
 3. Summer Season was nominated to compete in Race 12, SPORTSBET SET A DEPOSIT LIMIT, Grade 5, conducted by the Ballarat Greyhound Racing Club at Ballarat on 1 February 2023 (the Event).
 4. On 1 February 2023, you presented “Summer Season” at the Event not free of any prohibited substance, given that:

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

(b) Labetalol was detected in the Sample.

Plea: Guilty

DECISION

Ms Judith McCullagh is a trainer licensed with Greyhound Racing Victoria (“GRV”) and is bound by the Greyhounds Australasia Rules (“GARs”). She is aged 73 years and has been licensed for 26 years. She is the trainer of the greyhound, “Summer Season”.

Summer Season competed in Race 12 at Ballarat on 1 February 2023. The greyhound was presented at the event not free of any prohibited substance, given that a pre-race sample of urine detected labetalol. Ms McCullagh has been charged with a presentation offence under GAR 141(1). She has pleaded guilty to this charge.

The GRV Chief Veterinarian, Dr Steven Karamatic, provided a report dated 1 June 2023. He said that labetalol was detected and that it was a prohibited substance. It is capable of affecting the condition or performance of a greyhound, and any effect is more likely to be negative, including a reduction in blood pressure. Dr Karamatic said that no products that contain labetalol were produced during the kennel inspection. Personal medications produced during the inspection that control similar conditions of high blood pressure were different medications. If it is established that the drug was prescribed, contamination from personal medication is a probable source of the presence of labetalol being determined. Dr Karamatic referred to the Industry Notices sent to participants in 2016 and published in 2020 in the Greyhound Monthly Review, where participants were warned of the use of human medication, whether prescribed or purchased over the counter, which can produce positive swabs due to cross contamination.

The evidence is that Mr Ron McCullagh suggested that possibly his blood pressure tablets were different at the time of the presentation to those he was taking at the time of the investigation. The evidence is that Ms McCullagh prepares the dogs’ meals and always wears disposable gloves in food preparation.

In imposing a penalty, we have taken into account Ms McCullagh’s guilty plea, her cooperation 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. This is Ms Mc McCullagh’s first offence of this

kind. Given her history over many years, this an excellent record. We accept the submission of the Stewards in relation to penalty.

In all the circumstances, we impose a penalty of two months suspension.

In addition, Summer Season is disqualified from Race 12 at Ballarat on 1 February 2023 and the finishing order is amended accordingly.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal