

26 April 2024

DECISION

GREYHOUND RACING VICTORIA

and

MARTIN TAYLOR

- Date of hearing:** 20 March 2024
- Panel:** Judge Marilyn Harbison (Deputy Chairperson) and Dr June Smith.
- Appearances:** Mr Timothy Brook appeared on behalf of the Stewards.
Mr Martin Taylor represented himself.
- Charges:** 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 "Lamont Bale".

3. Lamont Bale was nominated to compete in Race 5, COAST FM & 3YB (275+RANK), Grade 5, conducted by the Warrnambool Greyhound Racing Club at Warrnambool on 31 July 2023 (the Event).

4. On 31 July 2023, you presented Lamont Bale at the Event not free of any prohibited substance, given that:

(a) A post-race sample of urine was taken from "Lamont Bale" 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 31 August 2023, you failed to produce treatment records for inspection, upon request from Cornelius Berkhout, 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 Martin Taylor has been charged with two offences.
2. The first is a presentation offence. On 31 July 2023 a greyhound owned and trained by him, "Lamont Bale", won Race 5 at Warrnambool. After the race, the greyhound was swabbed and was ultimately found to have been presented with caffeine and its metabolites, theophylline, paraxanthine and theobromine, in its system.

3. Mr Taylor has no explanation as to how the caffeine came to be in the dog's system. He has been a trainer in Victoria for approximately 10 to 15 years. At present, he races only this dog. He lives in a caravan at the property of his friends, Mr Robert Camilleri and Ms Deborah Coleman, both of whom are also registered greyhound trainers. He also shares a kennelling facility with Mr Camilleri and Ms Coleman and assists them in the training and kennelling of their dogs. Were it not for their assistance in providing him accommodation, he would be homeless.
4. Mr Taylor told the Stewards that he races Lamont Bale as a hobby in order to "add a point of interest" to his attendance at greyhound meetings. He has no other greyhounds. He does not bet. He told the Stewards and repeated before us that he treats his dog very well and would never knowingly use drugs on any dog with whom he was associated.
5. Dr Steven Karamatic and Mr David Batty each provided an expert report on the presence of caffeine in the dog. Caffeine and its metabolites are prohibited substances under the Rules. There are a great number of substances, both medicinal and general foodstuffs, which contain caffeine. When caffeine is present in a greyhound, it has an effect as a stimulant, providing improved racing performance.
6. Mr Taylor could not identify any possible source of the caffeine. All that Mr Taylor can suggest is the dog must have picked up the caffeine when sniffing the ground at the racetrack. The Stewards did not find any substance at the kennels containing caffeine.
7. At the time that the Stewards investigated Mr Taylor for this offence, it became apparent that he had not kept sufficient treatment records for the dog. Mr Taylor has told us that he understood that Mr Robert Camilleri was keeping treatment records for him. Sadly, this is because Mr Taylor is illiterate. He has never learned to read or write and so cannot generate his own treatment records.
8. Whether or not Mr Camilleri had undertaken complete responsibility for the records before the Stewards intervention was not clear to us from the evidence. Even if he had, it is of course true that it was Mr Taylor's ultimate responsibility to make sure that the records were compliant. He must be careful to ensure that this is the case in the future. The onus is on him to keep up with industry regulations despite his illiteracy.
9. In any event, once the deficiency in record keeping was discussed with the Stewards, Mr Camilleri came forward and has offered to write up Mr Taylor's treatment records in the future.
10. Mr Taylor has pleaded guilty to each charge. In sentencing him we take into account the following matters.

11. He has no relevant prior offences. This is quite important given his very long association with the industry, both in Victoria and interstate. He first started working with greyhounds at the age of 15 and is now 64 years old. Greyhounds are his life. He is committed to the wellbeing of his dog and to assisting in the care of Mr Camilleri's and Ms Coleman's dogs. He is on a disability pension and has no assets or income.
 12. We are also aware that general deterrence must be a significant focus when imposing a penalty in order to underscore the industry's commitment to maintaining a drug free sport. We have also taken into account Mr Taylor's personal circumstances as outlined in these reasons.
 13. In all the circumstances we impose the following penalties:

Charge 1: four months suspension, fully suspended for a period of 12 months.

Charge 2: \$300 fine, full suspended for a period of 12 months.
 14. In addition, Lamont Bale is disqualified from Race 5 at Warrnambool on 31 July 2023 and the finishing order is amended accordingly.
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Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal