

11 October 2024

DECISION

GREYHOUND RACING VICTORIA

and

MEREDITH PRENTICE

Date of hearing: The hearing was jointly agreed to be conducted on the papers.

Date of decision: 11 October 2024

Panel: Judge John Bowman (Chairperson).

Appearances: Mr Anthony Pearce appeared on behalf of the Stewards.
Ms Meredith Prentice represented herself.

Charges and particulars: Charge No. 1 of 2

Greyhounds Australasia Rule 141(1) reads as follows:

Rule 141 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 of Charge

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 "Gattlin Glass".

3. “Gattlin Glass” was nominated to compete in Race 1, SPORTSBET HT1, Maiden Heat, conducted by the Sandown Greyhound Racing Club at Sandown Park on 2 April 2023 (**the Event**).
4. On 2 April 2023, you presented “Gattlin Glass” at the Event not free of any prohibited substance, given that:
 - (a) A post-race sample of blood was taken from “Gattlin Glass” at the Event (**the Sample**);
 - (b) Meloxicam was detected in the Sample.

Charge No. 2 of 2

Greyhounds Australasia Rule 151(1) reads as follows:

Rule 151 Treatment records to be kept

- (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*
- (2) *If requested by a Controlling Body, a Steward, or an authorised person, the record/s of treatment referred to in subrule (1) of this rule must be produced for inspection.*
- (3) *Each record of treatment kept in accordance with this rule must be made by midnight on the day on which the treatment was given, and, as a minimum requirement, include the following information:*
 - (a) *the name of the greyhound;*
 - (b) *the date and time of administration of the treatment;*
 - (c) *the name of the treatment (brand name or active constituent);*
 - (d) *the route of administration;*
 - (e) *the amount given; and*
 - (f) *the name and signature of the person or persons administering and/or authorising the treatment.*

For the purpose of subrule (3), “day” means the 24-hour period from 12.00am to 11.59pm on any calendar day.
- (4) *An offence is committed if any person in charge of a greyhound at the relevant time fails to comply with any of subrules (1) to (3) of this rule.*

(5) A person who commits an offence under subrule (4) of this rule may be penalised.

(6) For the purposes of this rule "treatment" includes:

(a) all Controlled Drugs (Schedule 8);

(b) all Prescription Animal Remedies and Prescription Only Medicines (Schedule 4);

(c) any injectable substance not already specified in this rule, notwithstanding the route of administration;

(d) all Pharmacist Only (Schedule 3) and Pharmacy Only (Schedule 2) medicines; and

(e) all veterinary and other medicines containing other scheduled or unscheduled prohibited substances.

Particulars of Charge

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 15 May 2023, you presented treatment records for inspection, upon request from GRV Senior Steward Roslyn FAZULLA, a person authorised by the Controlling Body, for greyhounds for which you were the responsible person at the relevant time.
3. You did fail to record the minimum requirements for treatments recorded by you, namely the treatment/s 'wormed' and '1/2 pill' recorded on a whiteboard, in that you:
 - (a) failed to record the name of the greyhound; and/or
 - (b) failed to record the date and time of administration of the treatment; and/or
 - (c) failed to record the name of the treatment by brand name or active constituent; and/or
 - (d) failed to record the route of administration of the treatment; and/or
 - (e) failed to record the amount of the treatment given; and/or
 - (f) failed to record the name and signature of person or persons administering and/or authorising the treatment.

Pleas: Guilty to both Charges.

DECISION

In this matter, the parties have agreed that this matter should be determined "on the papers" subject to the approval of the Tribunal.

This seems to me to be a very sensible course to adopt. It is not one that can be used in the majority of cases. However, there are certain situations where it can be adopted and this is

one of them. Certainly I am prepared to determine the appropriate penalty “on the papers” and I again congratulate the parties for adopting this time saving and appropriate approach.

Ms Prentice has been charged with breaches of Rules 141(1) and 151. She is pleading guilty to these charges. The breach of Rule 141(1) concerns a dog trained by her, namely, Gatlin Glass, which ran in Race 1 at Sandown Park on 2 April 2023. A post-race blood sample revealed the presence of the prohibited substance, Meloxicam. The breach of Rule 151 concerns her failure to keep proper and adequate treatment records.

The submissions on behalf of the Stewards by Mr Pearce could be summarised as follows.

Meloxicam is a prohibited substance frequently found in knackery meat and in some personal medications. It is capable of having a positive effect on the performance of a greyhound by producing an artificially pain free state. Participants have been warned repeatedly concerning it. Ms Prentice has a good record, with no relevant prior offences. The appropriate penalty for a first offence is a fine of \$1,500, with \$1,000 suspended for a period of 24 months on the basis of the commission of no relevant offence during that period.

The failure to keep proper records is an offence which should attract a fine of \$250.

The submissions of Ms Prentice could be summarised as follows.

She is at loss as to how the positive reading occurred. She has never knowingly administered any performance enhancing drug or substance to any of her greyhounds. It could not be explained by reference to any medication which she was taking or had in her possession.

Gatlin Glass was a very fit dog, not requiring any relevant medication.

Ms Prentice was very upset at the prospect of the Charge and conviction appearing in the Stewards’ reports when she had not knowingly committed any offences.

Her involvement in the industry is long standing. She has an excellent record. She takes dogs to the local Resident Care Hospital so that residents can talk to and pat a greyhound. She promotes actively the racing of greyhounds and defends the industry. She will now have a slur against her name.

I understand and appreciate the submissions of Ms Prentice. Unfortunately for her, Rule 141(1) is in essence a Rule of strict liability in a situation such as this. The swab in question proved positive to the prohibited substance, Meloxicam. Basically, that is sufficient to make out the Charge. Thus, in all the circumstances a finding of Guilty is virtually inevitable. The same could be said of the breach of Rule 151.

I am also of the view that the fines proposed by Mr Pearce are what could be described as at or near the bottom of the range. I do not propose to vary them, save that the period of suspension as part of the penalty for Charge 1 is reduced to 12 months.

In relation to Charge 2, the keeping of accurate and reliable records by licensed persons plays an important role in the work of the Stewards. The fine of \$250 sought by them is appropriate.

Thus, the penalties imposed are as follows:

Charge 1 – a fine of \$1,500, with \$1,000 suspended for 12 months. This will only be activated if there is an appropriate breach or similar offences committed in that period.

Charge 2 – a fine of \$250.

In addition, Gattlin Glass is to be disqualified from **Race 1 at Sandown on 2 April 2023** (GAR 141(4)) and the subsequent final, **Race 1 at Sandown on 6 April 2023** (GAR 141(5)) and the finishing orders are to be amended accordingly.

I again commend the parties on the sensible manner in which this matter has been conducted.

The parties should contact the Tribunal if any further amplification of these reasons is required.

Mark Howard
Registrar, Victorian Racing Tribunal