

24 January 2024

DECISION

GREYHOUND RACING VICTORIA

and

PAULA CALAFIORE

- Date of hearing:** 18 January 2024
- Panel:** Judge Marilyn Harbison (Deputy Chairperson) and Ms Judy Bourke.
- Appearances:** Ms Yana Podolskaya appeared on behalf of the Stewards.
Ms Paula Calafiore represented herself.
Mr Emilio Prazza appeared as a witness.
- Charge:** Greyhounds Australasia Rule (“GAR”) 141(1)(a) states:
(1) The owner, trainer or other person in charge of a greyhound:
(a) nominated to compete in an Event;
must present the greyhound free of any prohibited substance.
- GAR 139(3)(a) states:
(3) When a sample taken from a greyhound being trained by a trainer or in the care of a registered person has been established to contain a permanently banned prohibited substance:
(a) the trainer and any other person who was in charge of the relevant greyhound at the relevant time shall be guilty of an offence.
- Particulars:** **Charge 1: GAR 141(1)(a)**
1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria (GRV) (Member No. 314823) and a person bound by the Greyhound Australasia Rules and Local Racing Rules.
 2. You were, at all relevant times, the trainer of the greyhound “Aqua Blaze” (VIWQF).

3. Aqua Blaze was nominated to and competed in, Race 11, VIATEK Tier 3 Restricted Win, conducted by the Warragul Greyhound Racing Club at Warragul on 22 December 2022 (the Event).

4. On 22 December 2022, Aqua Blaze was presented at the Event not free of a permanently banned prohibited substance, given that:

(a) A pre-race sample of urine was taken from "AQUA BLAZE" at the Event (the Sample);

(b) Stanozolol, 6a-Hydroxystanozolol and 16 β -Hydroxystanozolol were detected in the sample.

5. Stanozolol, 6a-Hydroxystanozolol and 16 β -Hydroxystanozolol are permanently banned prohibited substances.

Charge 2: GAR 139(3)(a)

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria (GRV) (Member No. 314823) and a person bound by the Greyhound Australasia Rules and Local Racing Rules.

2. You were, at all relevant times, the trainer of the greyhound "Aqua's Hope" (VIWQH).

3. An out of competition test sample was taken from Aqua's Hope (VIWQH) at your registered kennel address in Traralgon on 5 February 2023.

4. 6a-Hydroxystanozolol was detected in the Sample.

5. 6a-Hydroxystanozolol is a permanently banned prohibited substance.

Pleas: Not Guilty to both charges

DECISION

1. Ms Paula Calafiore is a registered greyhound trainer and the owner and trainer of the greyhound "Aqua Blaze". This greyhound competed in Race 11 at Warragul on 22 December 2022.
2. It was swabbed before the race and returned a positive swab to the substances, Stanozolol, 6a-Hydroxystanozolol and 16 β -Hydroxystanozolo.
3. Having received notification of the positive swab, the Stewards attended Ms Calafiore's property in order to inspect the greyhound and the kennels. No substance was found at the property which may have explained the positive swab.
4. Whilst they were at the property, the Stewards took another sample of urine and hair from Aqua Blaze and also took samples from two other dogs, namely "Blazing Mist" and "Aqua's Hope". The sample taken from "Aqua's Hope" also contained 6a-Hydroxystanozolol.
5. The Stewards repeated this out of competition testing at Ms Calafiore's property on 24 March 2023. At that time, three greyhounds were swabbed; Aqua Blaze, Aqua's Hope, and another unnamed greyhound. Both urine testing and hair sampling were performed. On this occasion Aqua Blaze returned a negative sample.
6. Thus, Ms Calafiore faces two charges under Greyhounds Australasia Rule ("GAR") 141(1)(a). The first relates to the presentation of the greyhound Aqua Blaze on 22 December 2022. The second is brought under GAR 139(3)(a) and relates to the out of competition swabbing of Aquas Hope on 5 February 2023.
7. Stanozolol and its derivatives are anabolic androgenic steroids. These substances when given to a dog over time promote tissue building processes and can reverse tissue breakdown. Therefore they give an unfair performance advantage to treated dogs by increasing the dogs muscle mass, increasing endurance and also potentially altering the behaviour of the greyhound. In respect of this last matter, the scientific evidence before us was that the steroids can have the effect of increasing aggression in the dog as they are closely related to testosterone.
8. Because of the above, these substances are permanently banned and must not be acquired or possessed by registered persons or administered to greyhounds. The scientific evidence was that there is a long period during which these drugs stay in the dog. There have been some occasions on which traces have remained for at least 21 months. It is recommended that greyhounds which test positive to this substance do not ever race

again, as no assurance can be given that a “not detected” result means complete elimination of the drug.

9. In August 2018 an alert was sent to trainers regarding permanently banned prohibited substances, such as the substances involved in this case. In that alert, Greyhound Racing Victoria (“GRV”) described the prohibited substances as so concerning from a welfare or integrity point of view that they have no place in the sport at all, and should never be in a greyhound’s system, whether on race day or out of competition.
10. There are two veterinary products which contain stanozolol. Both of them are available only on prescription and both can only be provided by a vet after establishing a therapeutic need for the substance.
11. The scientific evidence before us was that it was very difficult to identify any likely source for the detection of these substances other than by injection or oral administration to the greyhound. We were also advised that given the very long detection time for the drug, it is not possible to advise when that injection or administration occurred.
12. Ms Calafiore was interviewed by the Stewards on 7 February 2023. She could not offer any explanation for the likely source of the substances. Interviewed again on the 22 March 2023, Ms Calafiore told the Stewards that she could provide no reason for the substance being present at the time that the sample was taken.
13. The Stewards have inspected Ms Calafiore’s property, but have found nothing that contained or indicated the use of this substance.
14. Ms Calafiore kennelled the dogs at an unoccupied farm. The gates to the farm and the entrance to the kennels were securely padlocked. The dogs were visited by her partner for feeding and exercised several times a day. Although she could not explain what had occurred, she suspected that someone must have intentionally administered the substances identified to Aqua Blaze and Aqua’s Hope.
15. Ms Calafiore pleaded not guilty to each charge. She gave evidence before us. She said that she had received threatening text messages, and thought that she had seen some signs of human presence near the front gate on occasion, but had no idea whether anyone had actually come onto her property.
16. She gave detailed evidence as to her feeding regime, as did her partner. She wondered whether there was some connection with what she thought were suspicious bets placed on some races in which her dogs had raced. She wondered whether she had been targeted for some unknown reason. She was not able to name any person or suggest any direct line of enquiry about these matters.

17. Ms Calafiore also called her partner, Mr Emilio Prazza, to give evidence on her behalf. Mr Prazza undertakes the day to day care of all of her greyhounds, and also is responsible for transporting them on race days.
18. Mr Prazza gave evidence that he feeds the dogs each day and that nothing has changed in the way the dogs have been prepared for racing. He said that this is the first time one of Ms Calafiore's dogs has returned a positive swab, even though her dogs are very often swabbed.
19. Whilst we were impressed with Ms Calafiore and her partner as honest witnesses, the difficulty that she faces is that each of these charges is a strict liability charge. That means that the Stewards do not have to establish how the substance was administered to the dog, or that Ms Calafiore took any part in the administration. All that needs to be established is that the substance was present in the dog at the time that the swab was taken. We have no evidence before us as to any nefarious activity leading to the administration of the substances. We are thus unable to make any finding either way as to how the substances ended up in the two greyhounds.
20. The strict nature of the elements of this offence may seem an unreasonably high bar for any trainer to overcome. However, this is the nature of a presentation offence. This offence does not require any intentional administration of a prohibited substance, or even any knowledge as to how the substance came to be in the animal. Once we are satisfied that the greyhound was presented for the relevant event and that, at the time that it was presented, it had ingested the prohibited substance, all the elements of the charge are made out. This reasoning applies to the second charge, as well as the first.
21. We therefore find each of the charges proven.

PENALTY

22. In setting penalties on each of these charges, we take into account general and specific deterrence and the importance of keeping a level playing field by aiming for a drug free industry. We also take into account Ms Calafiore's total cooperation with Stewards. We have had regard to recent penalties in like cases involving the same or similar substances.
23. We heard the following evidence, which we have also taken into account, in setting penalty.
24. Ms Calafiore has been a licensed trainer for six years. She has no prior offences. She is clearly devastated by what has occurred. She takes great pride in the welfare of her dogs, keeping their kennels scrupulously clean, and educating herself diligently on all aspects of

greyhound welfare. She has now put all her dogs into the Greyhound Adoption Program to be adopted as family pets, as she feels unable to guarantee their security on an unoccupied premises.

25. She intends to leave the industry following this hearing and for that purpose has let her registration as a trainer expire.
26. We have considered the appropriate penalty for these charges. It is apparent to us that Ms Calafiore is an honest witness. The contamination is inexplicable, given the surrounding facts as we have found them. It is as a direct result of her having been charged that she has decided to leave the industry and to have her remaining dogs adopted out as family pets. This is a major detrimental consequence to her and has occurred as a result of these events. She is presently working only part time, whilst caring for her mother. She has been very active in her local community, to the point of obtaining an award for South Gippsland Citizen of the Year in 2018.
27. In all the circumstances, we impose the following penalties:

Charge 1: 12 months disqualification to commence immediately.

Charge 6 months disqualification to commence immediately.
28. We order that the penalty on Charge 2 be served concurrently with the penalty on Charge 1. The difference in the lengths of these periods of disqualification reflects the fact that Charge two is the lesser offence, as it resulted from an out of competition swab.
29. In relation to Charge 2, we have decided on a period of disqualification rather than suspension, as Ms Calafiore is not presently the holder of a licence. It appeared to us to be more logical to impose a period of disqualification, given that we propose to order that each of these charges be served concurrently.
30. We make this order having had regard to the decision in Mr John and Mrs Sandra Galea, in which we note a period of suspension was ordered. We regard this case as being confined to its own facts.
31. We do not impose a fine for either offence, having regard to Ms Calafiore's personal circumstances and excellent record.

32. In addition, Aqua Blaze is disqualified from Race 11 at Warragul on 22 December 2022 and the finishing order is amended accordingly.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal