

DECISION IN RELATION TO PENALTY

Presentation of a greyhound other than free of any prohibited substance in breach of rule 83(2) of the GRNSW Greyhound Racing Rules

INQUIRY NUMBER:	18S021
PERSON:	Mr Ronald Lambert (Participant)
REGISTRATION:	Trainer
GRNSW INQUIRY PANEL MEMBER(S):	Mr Grant Carroll
DATE OF DECISION:	29 March 2018

CHARGE

1. On 21 March 2018 the GRNSW Inquiry Panel (**Inquiry Panel**) charged the Participant under rule 83(2) as follows:

That you, Ronald Lambert, a registered trainer, while in charge of the greyhound 'Dreaming Time', presented the Greyhound for the purpose of competing in Race seven at Gosford on 9 January 2018 in circumstances where the Greyhound was not free of any prohibited substance (**Charge**).

2. The prohibited substance was cobalt. Cobalt is identified as a category 4 prohibited substance under the GRNSW Penalty System (**Penalty System**).

ADMISSION

3. The Participant, by letter, admitted to the Charge and provided mitigating factors for the Inquiry Panel to consider in relation to penalty.

PENALTY

4. The starting point for the determination of penalty for a category 4 substance under the Penalty System is 24 weeks disqualification.
5. In accordance with the Penalty System, the Inquiry Panel considers that there are no aggravating factors present.
6. In accordance with the Penalty System, the Inquiry Panel considers that the following mitigating factors are present:
 - (a) The Participant's early admission to the Charge;
 - (b) The Participant's licence history having been licensed since 1961 with no previous positive swabs;
 - (c) The Participant has reviewed and amended his greyhound operating procedures to ensure that no similar breaches occur in the future;
 - (d) The Participant's involvement within the greyhound racing having worked as the club steward at Muswellbrook; and
 - (e) The Participant's good character as detailed in multiple references.

7. The Inquiry Panel considers the Participant's submission as to the reason for the detection of the prohibited substance. While it is not for the Inquiry Panel to determine how, when, why or by what route the prohibited substance came to be present in the Greyhound, the Inquiry Panel accepts that the presentation of the Greyhound not free of a prohibited substance may have been the result of a husbandry failure.
8. Having regard to the totality of the facts, the Inquiry Panel determines that a period of suspension of ten weeks is the appropriate penalty in the circumstances.
9. As the Greyhound was presented for the Race contrary to Rule 83(2), the Inquiry Panel also determines to disqualify the Greyhound from the Race pursuant to Rule 83(4). As the Race was part of a series, the Greyhound pursuant to Rule 83(5)(b) is disqualified from the heat and final of that series.

Grant Carroll
Senior Inquiry Steward
GRNSW Inquiry Panel

Tammy Cootes:
Internal review by:
Manager Integrity and Inquiries