

STEWARDS DECISION

OFFICE OF RACING INTEGRITY

and

Gary Johnson

- Date of hearing:** 18^h July 2024
- Stewards Panel:** Dominic Tyson (Chair), G Griffin.
- Present:** *Mr Gary Johnson (Public Trainer)*
- Rule:** *Greyhound Australasia Rule 141(1)(a) The owner, trainer, or other person in charge of a greyhound nominated to compete in an Event must present the greyhound free of any prohibited substance.*
- Charge:** That Mr Johnson, being the trainer of Buckle Up Yarni, did present the greyhound to race at a meeting of the Launceston Greyhound Racing Club on Monday 27th November 2023 when not free of a prohibited substance.
- Prohibited Substance:** Arsenic at > 800 ng/mL
- Plea:** *Guilty*
- Inquiry Decision:** *Penalty imposed.*
- Penalty:** *\$1000 fine \$500 to be wholly suspended for 24 months.*

1. Summary of Facts

- 1.1. Mr Johnson is a licensed greyhound trainer based at Ulverstone, Tasmania.
- 1.2. On Monday 27th November 2023, Mrs Johnson on behalf of Mr Johnson transported Buckle Up Yarni to Launceston to compete in Race 2 at a meeting of the Launceston Greyhound Racing Club.
- 1.3. Buckle Up Yarni competed in Race 2 and won and was subject to a post-race urine sample.
- 1.4. The sample obtained from Buckle Up Yarni was given the unique sample number V781758.
- 1.5. On Wednesday 28th December 2023, Racing Analytical Services Ltd issued a Certificate of Analysis reporting that Arsenic above the prescribed threshold of 800 ng/mL had been detected in sample V781758.
- 1.6. On January 5th 2024, the Australian Racing Forensic Laboratory confirmed the presence of Arsenic above 800 ng/mL

2. Penalty Discussion

- 2.1. That in a racing context it is very important that a penalty has the effect of deterring others from committing similar offences through the consideration of both general and specific deterrence.
- 2.2. That penalties imposed upon those offending the prohibited substance rules should reflect the industry's disapproval of drugs being detected in racing greyhounds.
- 2.3. The penalty should reflect the circumstances of the contamination and subsequent mitigation of the source.

When addressing the Panel on penalty Mr Johnson spoke on his vigilance in monitoring his kennel environment and feeding regime.

3. Penalty

- 3.1. In determining the penalty in this matter, the stewards are mindful of penalties imposed for similar breaches both in Tasmania and Interstate.
- 3.2. The Stewards believe this matter is best dealt with by way of monetary fine. This is to reflect the relative seriousness of the offence but also the manner in which the offence occurred.
- 3.3. We are mindful of Mr Johnsons's record regarding judicial matters over 36 years, and significant number of starters in his kennel since his previous offence.
- 3.4. In reaching this determination the Stewards factored the following relevant considerations.
- 3.5. When addressing the Panel on penalty Mr Johnson spoke on his vigilance in monitoring his kennel environment and feeding regime and his responsibility as a major feed supplier to the industry statewide.
- 3.6. Mr Johnson's cooperation throughout the investigation and guilty plea.
- 3.7. Mr Johnson's previous record concerning prohibited substance offending namely one historical offence in his career.
- 3.8. The need for both specific and general deterrence.
- 3.9. The nature of the substance and contamination through materials in the kennel environment.
- 3.10. Mr Johnson's immediate steps to eliminate the contamination risk.

4. Disqualification Of Greyhound

4.1. Pursuant to GAR 141(4) Buckle Up Yarni will be disqualified from Race 2, the
Launceston Greyhound Racing Club on Monday 27th November 2023.

5. Mr Johnson was advised of his right to appeal.

Decision Date: 18th July 2024