

DECISION

The Rules of Racing of Racing Queensland – Greyhounds Part 8 - Prohibited Substances And Prohibited Methods

Inquiry Number: G-27-002

Participant: David Bailey

Stewards: Paul Mclean (Chairperson)
Tony Flymen (Panel)

Code: Greyhounds

Rule: Greyhounds Australasia Rule 141(1)(a)
The owner, trainer or other person in charge of greyhound nominated to compete in an Event must present the greyhound free of a prohibited substance.

Penalty Notice: PN- 013277

Hearing Date: 19 May 2026

Decision Date: 14 July 2026

Charge 1: As the trainer of Casemiro Magic, Mr David Bailey did present that greyhound to compete in race 12 at the Queensland Greyhound Racing Club (Q Straight) on 31 July 2025 with a prohibited substance in its system, namely Methylprednisolone.

Charge 2: As the trainer of Casemiro Magic, Mr David Bailey did present that greyhound to compete in race 12 at the Queensland Greyhound Racing Club (Q Straight) on 10 August 2025 with a prohibited substance in its system, namely Methylprednisolone.

Charge 3: As the trainer of Tiny Rocket, Mr David Bailey did present that greyhound to compete in race 14 at the Queensland Greyhound Racing Club (Q1 Lakeside) on 24 September 2025 with a prohibited substance in its system, namely Caffeine, Theophylline, Paraxanthine & Theobromine.

Plea: Guilty to all charges.

Penalty: 8-months Suspension and \$1500 fine.

Reasons for Decision

Background

1. Mr David Bailey was the licensed trainer of the greyhounds Casemiro Magic and Tiny Rocket when they competed in the respective events at Queensland Greyhound Racing Club (Q Straight and Q1 Lakeside).
2. Subsequent analysis of samples obtained from those greyhounds identified the presence of prohibited substances. Casemiro Magic returned positive samples to Methylprednisolone following races conducted on 31 July 2025 and 10 August 2025, whilst Tiny Rocket returned a positive sample to Caffeine and its metabolites Theophylline, Paraxanthine and Theobromine following a race conducted on 24 September 2025.
3. Mr Bailey was issued with charges pursuant to GAR 141(1)(a) and, at inquiry, pleaded guilty to each charge.

Penalty Submissions

4. Mr Bailey acknowledged his understanding of the Rules and the obligations imposed upon licensed trainers. He pleaded guilty to all charges at the earliest opportunity.
5. In mitigation, Mr Bailey submitted that he had not administered any of the substances detected in the greyhounds and maintained that he was unaware of how the prohibited substances came to be present. Mr Bailey further submitted that he had cooperated throughout the investigation and inquiry process and requested that Stewards take into account his personal circumstances and the impact any penalty would have upon him as a hobby trainer.

Penalty Considerations

6. In determining penalty, the Stewards considered all relevant circumstances of the offending, including the nature and seriousness of the prohibited substances detected, Mr Bailey's degree of culpability, his disciplinary record, the principles of totality and course of conduct, the need for both general and specific deterrence, penalty precedents, and the QRIC Greyhound Racing Penalty Guidelines.
7. The Stewards accepted Mr Bailey's guilty plea, his cooperation throughout the investigation and inquiry process and his forthright admissions during the inquiry. Those matters were regarded as mitigating factors and warranted a reduction from any applicable starting point.
8. The Stewards further accepted that there was no evidence that Mr Bailey deliberately or recklessly administered Methylprednisolone, Caffeine, Theophylline, Paraxanthine or Theobromine to the relevant greyhounds. Nonetheless, GAR 141(1)(a) is a presentation offence, and the Rule imposes an obligation upon trainers to ensure greyhounds presented to race are free of prohibited substances.
9. In assessing the offending conduct, the Stewards considered that the two Methylprednisolone offences involving Casemiro Magic arose from the same greyhound,

the same prohibited substance and occurred within a period of approximately ten days. Consistent with established penalty principles, the Stewards were satisfied those offences could properly be characterised as a single course of conduct. Accordingly, the Stewards considered it appropriate that those offences attract a concurrent penalty structure.

10. The Stewards considered the third offence involving Tiny Rocket to be materially different in character. That offence involved a separate greyhound, a different prohibited substance and occurred approximately six weeks after the earlier offences. The Stewards regarded this breach as distinct offending and were satisfied it should be considered separately for penalty purposes.
11. The Stewards also considered that the third offence occurred after Mr Bailey had become aware of the earlier prohibited substance matters. While the Stewards accepted that formal findings had not yet been made, the existence of those earlier investigations created an increased expectation that heightened diligence would be exercised in relation to compliance with the prohibited substances regime. The subsequent caffeine positive therefore attracted greater significance from the perspective of specific deterrence.
12. The Stewards noted Mr Bailey's prior prohibited substance history, including a Category 2 prohibited substance matter determined in June 2024, for which a three-month suspension was imposed with two months wholly suspended for a period of twenty-four months.
13. The Stewards considered the decision of the Queensland Racing Appeals Panel in *Lindsay Hatch v Queensland Racing Integrity Commission* (RAP 131) and accepted that activation of a suspended penalty is not automatic. Rather, it requires a discretionary assessment having regard to proportionality, deterrence and the totality of the circumstances. In this matter, the present offending occurred only approximately thirteen to fifteen months after the earlier penalty and within the operative period of the suspended component. The Stewards considered that these circumstances supported activation of part of the suspended penalty.
14. The Stewards also considered the totality principle. Whilst multiple offences had occurred, the Stewards were required to ensure the overall penalty was not crushing or disproportionate when viewed against the entirety of the offending conduct. The Stewards therefore balanced the course of conduct nature of the first two offences, the distinct nature of the third offence, the activation of part of the suspended penalty, and the need to achieve appropriate levels of deterrence whilst arriving at a penalty that remained proportionate overall.
15. The Stewards considered comparable prohibited substance decisions including penalties imposed against Ashley Bock (2025), Shane Felke (2024) and John Mangion (2023), together with the QRIC Greyhound Racing Penalty Guidelines. The Stewards accepted that the Guidelines provided an important reference point promoting consistency of outcomes but were not to be applied rigidly and must be moderated where required by the principles of totality and proportionality.
16. The Stewards further considered the likely financial and personal impact of any penalty upon Mr Bailey. Whilst those consequences were acknowledged, they were necessarily balanced against the need to protect the integrity of greyhound racing, maintain public confidence in the sport and ensure a level playing field for all participants. The Stewards

were additionally mindful that both of the greyhounds subject to positive swabs had won their respective events.

17. The Stewards considered the QRIC Greyhound Racing Penalty Guidelines in relation to each offence individually. In respect of Charges 1 and 2, the Stewards considered that the offences involved the same greyhound, the same prohibited substance and occurred within a relatively short period of time. The Stewards were satisfied that the offences constituted a single course of conduct and should be treated concurrently for penalty purposes.
18. In respect of Charge 3, the Stewards considered that the offence involved a separate greyhound, a different prohibited substance and occurred some weeks after the earlier offending. The Stewards therefore regarded the offence as distinct conduct and will incur its own separate penalty additional to Charge 1 and 2.
19. The Stewards then considered the wholly suspended component of the penalty imposed on Mr Bailey on 4 June 2024. The present offending occurred during the operational period of that suspended penalty. Having regard to the principles discussed by the Queensland Racing Appeals Panel in Hatch, the Stewards were satisfied that activation was not automatic and required consideration of all relevant circumstances. The Stewards considered the relatively short period between the previous offence and the current offending, together with the further prohibited substance breaches occurring during the operational period, justified activation of the suspended component.
20. The Stewards considered whether activation of the suspended component, together with the penalties imposed for the present offending, would produce an excessive or disproportionate outcome. After applying the principles of totality and proportionality, the Stewards were satisfied that activation of the two (2) months previously suspended was appropriate and necessary to achieve both specific and general deterrence, whilst remaining proportionate to the overall offending conduct.

Human Rights

21. The Stewards considered Mr Bailey's human rights pursuant to the Human Rights Act 2019 (Qld), including his right to property under section 24, insofar as any penalty may affect his ability to exercise the privileges associated with his trainer's licence.
22. The Stewards acknowledged that any suspension or monetary penalty imposed may limit those rights. However, the Stewards were satisfied that any limitation is reasonable and demonstrably justified having regard to the purposes of the Racing Integrity Act 2016 (Qld), including maintaining public confidence in racing, ensuring compliance with the Rules of Racing, protecting the welfare of racing animals, and safeguarding the integrity of racing outcomes.
23. The Stewards considered whether less restrictive measures were available to achieve those objectives. In doing so, the Stewards had regard to the nature of the offending, which involved multiple prohibited substance presentation offences occurring over separate race meetings, including offending that occurred during the operational period of a previously suspended penalty. The Stewards also considered the importance of both general and specific deterrence in prohibited substance matters, particularly where

participants are entrusted with ensuring greyhounds presented to race are free of prohibited substances.

24. The Stewards determined that a caution, reprimand, or monetary penalty alone would not adequately reflect the seriousness of the offending, promote compliance with the prohibited substances regime, or achieve the objectives of deterrence and integrity protection. The Stewards were satisfied that a period of suspension was necessary and proportionate to reinforce the obligations imposed upon licensed trainers and to maintain public confidence in the integrity of greyhound racing.
25. In reaching that conclusion, the Stewards also considered the principles of proportionality and totality and were satisfied that the proposed penalty structure appropriately balanced Mr Bailey's personal circumstances against the broader public interest in maintaining a fair, safe and drug-free racing industry. The Stewards were therefore satisfied that the penalties imposed represent the least restrictive means reasonably available to achieve the legitimate purposes of the racing legislation and Rules.

Penalty Decision

26. Having regard to all relevant circumstances, including Mr Bailey's guilty pleas, cooperation throughout the inquiry, personal circumstances, disciplinary history, the QRIC Greyhound Racing Penalty Guidelines, relevant penalty precedents, the principles of course of conduct and totality, and the need for both general and specific deterrence, the Stewards determined the following penalties.
27. In relation to Charge 1 and Charge 2, the Stewards were satisfied that the offences involved the same greyhound, the same prohibited substance, and occurred within a relatively short period of time. The offences were therefore treated as a single course of conduct for penalty purposes. The Stewards determined that the appropriate starting point was a fine of \$2,000. Having regard to Mr Bailey's guilty plea at the earliest opportunity, a reduction of twenty-five per cent (25%) was applied, resulting in an effective fine of \$1,500.
28. In relation to Charge 3, the Stewards considered that the offence involved a different greyhound, a different prohibited substance, and occurred separately from the earlier offending. The Stewards therefore regarded Charge 3 as distinct offending conduct. Consistent with the QRIC Greyhound Racing Penalty Guidelines, the Stewards adopted a starting point of eight (8) months suspension. In recognition of Mr Bailey's guilty plea and cooperation throughout the inquiry, a reduction of twenty-five per cent (25%) was applied, resulting in an effective suspension of six (6) months.
29. The Stewards then considered the wholly suspended component of the penalty imposed on Mr Bailey on 4 June 2024. The present offending occurred within the operational period of that suspended penalty. Having regard to all relevant circumstances, including the principles outlined by the Queensland Racing Appeals Panel in *Hatch*, the Stewards were satisfied that activation of the suspended component was warranted. The Stewards determined that the previously suspended period of two (2) months should be activated.

30. After considering the totality of the offending conduct and ensuring that the overall penalty was not excessive or disproportionate, the Stewards determined that the appropriate total effective penalty was:
 - a. A fine of \$1,500; and
 - b. A suspension of eight (8) months.
31. The Stewards were satisfied that these penalties appropriately reflected the objective seriousness of the offending, recognised the course of conduct nature of Charges 1 and 2, accounted for the distinct nature of Charge 3, and achieved the necessary objectives of specific deterrence, general deterrence, and protection of the integrity of greyhound racing.

Greyhound Disqualification

32. Additionally, acting pursuant to GAR 141(4), Casemiro Magic and Tiny Rocket were disqualified from the following events and the placings amended accordingly. Any prizemoney associated with those events must be returned to Racing Queensland:
 - a. 31 July 2025 – Casemiro Magic – QGRC (Q Straight) Race 12
 - b. 10 August 2025 – Casemiro Magic – QGRC (Q Straight) Race 12
 - c. 24 September 2025 – Tiny Rocket – QGRC (Q1 Lakeside) Race 14

Right of Review

33. Mr Bailey was advised that, pursuant to Chapter 6 of the Racing Integrity Act 2016 (Qld), a person affected by a racing decision of a Steward may apply for an internal review of that decision. Any application for review must be lodged within three (3) business days of the decision.