

DECISION

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

Inquiry Number:	G-27-010
Participant:	Dean Clarson
Stewards:	Andrew Spence (Chairperson) Tony Flymen (Panel) Wesley Maher (Panel)
Code:	Greyhounds
Rule:	Greyhounds Australasia Rule 141(1)(a) <i>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.</i>
Penalty Notice:	PN-013607
Hearing Date:	29 June 2026 & 28 September 2026
Decision Date:	28 September 2026
Charge:	Mr Dean Clarson, as the registered trainer and person in charge of the greyhound Drink Mickeys, nominated to compete in Race 7 at the Queensland Greyhound Racing Club (Q Straight) on 2 March 2026, presented that greyhound to compete in that Event when it was not free of a prohibited substance, namely 5 β -Androstane-3 α ,17 β -diol above the prescribed threshold, as provided for under GAR 140(b).
Plea:	Guilty.
Penalty:	8-month Disqualification

Reasons for Decision

Background

1. On 29 June 2026, Stewards commenced an inquiry into urine sample 592329 taken from the greyhound Drink Mickeys following its win in Race 7 conducted at the Queensland Greyhound Racing Club (Q Straight) on 2 March 2026.

2. Analysis conducted by the Racing Science Centre detected the presence of Testosterone as evidenced by 5 β -Androstane-3 α ,17 β -diol above the prescribed threshold under GAR 140(b). Subsequent analysis conducted by Racing Analytical Services Limited confirmed the presence of the substance. The analytical findings constituted conclusive evidence of the presence of a prohibited substance for the purposes of the Rules of Racing.
3. Following consideration of the scientific evidence, veterinary evidence, inquiry transcript, treatment records and associated material, Stewards issued a charge against Mr Clarson pursuant to GAR 141(1)(a) – Greyhound to be free of a prohibited substance.
4. The particulars of the charge were:

“Mr Dean Clarson, as the registered trainer and person in charge of the greyhound Drink Mickeys, nominated to compete in Race 7 at the Queensland Greyhound Racing Club (Q Straight) on 2 March 2026, presented that greyhound to compete in that Event when it was not free of a prohibited substance, namely 5 β -Androstane-3 α ,17 β -diol above the prescribed threshold, as provided for under GAR 140(b).”
5. Mr Clarson made written submissions in advance of the continuation of the inquiry held on 28 September 2026, including a guilty plea. Mr Clarson further addressed penalty in those submissions and verbally at the reconvened inquiry.

Penalty Submissions

6. Mr Clarson entered a plea of guilty to the charge and submitted that he accepted responsibility for presenting the greyhound to race contrary to GAR 141(1)(a). However, he denied administering, procuring, possessing, or having any knowledge of the administration of Testosterone as evidenced by 5 β -Androstane-3 α ,17 β -diol.
7. Mr Clarson submitted that he remains unable to identify the source of the prohibited substance. He referred to the circumstances of the relevant race meeting, including the traffic delays experienced by participants travelling to the racecourse and the need for him to kennel six greyhounds under significant time constraints. He submitted that, because Drink Mickeys was engaged in a later race, the greyhound remained unattended

in his transport vehicle during part of the kennelling process while he kennelled other greyhounds.

8. Mr Clarson relied upon the treatment records maintained at his establishment and the subsequent inspection conducted by the Greyhound Welfare and Integrity Commission. He submitted that no unknown, unlabelled or unprescribed medications were located and that inspectors found no evidence suggesting the use of permanently banned prohibited substances. The inspection was recorded as compliant.
9. Mr Clarson further submitted that he has reviewed his husbandry and security arrangements following notification of the positive sample and has identified a range of security improvements intended to reduce the possibility of a similar occurrence in future. Those proposed measures include upgraded access controls and surveillance systems at the kennel property.
10. Mr Clarson also relied upon his personal circumstances. He submitted that greyhound racing is his sole source of income, that he has substantial financial commitments associated with his property, kennel establishment and transport vehicle, and that he is the primary unpaid carer for his elderly mother. He submitted that any period of disqualification would have significant financial and personal consequences.
11. Mr Clarson additionally relied upon a number of Queensland and interstate decisions involving GAR 141(1)(a) and submitted that those authorities demonstrated that suspended penalties, fines and other alternatives to immediate disqualification may be available depending upon the circumstances of the case.

Relevant Precedents

12. In assessing penalty, Stewards have considered both Queensland and interstate authorities concerning prohibited substance offences, including matters involving the permanently banned anabolic androgenic substance 5β -Androstane- $3\alpha,17\beta$ -Diol. Whilst prior decisions do not dictate the outcome of the present proceeding, they provide a useful guide to the range of penalties imposed in comparable circumstances and assist in ensuring consistency in regulatory decision-making.

13. The Queensland decisions involving Nicholls and Rothwell remain among the most relevant local authorities. Those matters confirm that the presentation of a greyhound with a permanently banned prohibited substance is regarded as a serious integrity offence that ordinarily warrants a period of disqualification. Both decisions reaffirm the principle that trainers bear ultimate responsibility for substances detected in greyhounds presented to race and that significant weight must be afforded to both specific and general deterrence, regardless of whether there is evidence of deliberate administration.
14. The Racing Appeals Panel decision involving Jason Schmidt is also instructive. While the matter arose in a different factual context, the Panel's reasoning is relevant to the assessment of culpability and penalty in prohibited substance matters. In considering penalty, the Panel accepted that there were circumstances which materially reduced the participant's moral culpability and justified intervention in the original penalty outcome. The decision demonstrates that where credible evidence exists explaining how a prohibited substance may have been inadvertently introduced, or where the participant's degree of fault is substantially reduced by the surrounding circumstances, penalty may properly be moderated to reflect that reduced culpability. Importantly, however, the decision does not diminish the overarching principle that trainers remain responsible for substances detected in greyhounds presented to race. Rather, it illustrates that the existence of a credible explanation may affect the appropriate sanction, whereas the absence of such evidence leaves the ordinary principles of accountability and deterrence to assume greater importance.
15. The decision involving Steven Scott provides a particularly useful comparator. That matter concerned a different prohibited substance to the one presently before the Stewards. Importantly, the Commission observed that in a number of comparable cases involving that substance, participants had successfully established inadvertent contamination or another innocent explanation, resulting in penalties limited to monetary fines. However, unlike those matters, the evidence in Scott did not establish inadvertent contamination as the source of the positive sample. The Commission therefore regarded the offending as more serious than other like cases of the same substance and imposed both a monetary fine and a suspended period of suspension.

16. Interstate authorities involving 5 β -Androstane-3 α ,17 β -Diol were considered including Bocquet (NSW), Atchison (NSW), Katalinic (NSW), Merzi (NSW), Eaton (NSW), Tyler (NSW), Morrissey (VIC), Peterson (VIC). When these authorities are viewed collectively, several themes emerge. First, detections involving permanently banned anabolic androgenic substances are consistently treated as serious integrity offences warranting substantial penalties. Secondly, a genuine guilty plea, demonstrated remorse and an otherwise good disciplinary history frequently result in meaningful moderation of penalty. Thirdly, and perhaps most relevantly to the present matter, both the Racing Appeals Panel decision in Schmidt and the Commission's decision in Scott demonstrate the significance of a proven contamination pathway. Where credible evidence establishes inadvertent contamination or materially reduces culpability, moderation of penalty may be justified. Conversely, where no satisfactory explanation exists, stewards and controlling bodies have consistently imposed materially more significant sanctions.
17. Accordingly, the collective body of authority demonstrates a consistent regulatory approach across Australian greyhound jurisdictions that detections of 5 β -Androstane-3 α ,17 β -Diol constitute serious integrity offences that routinely attract periods of disqualification. The penalty imposed in the present matter should therefore reflect that consistent national approach while remaining proportionate to the specific aggravating and mitigating circumstances identified by the Stewards.

Penalty Considerations

18. Stewards have considered all of the evidence before the inquiry, the submissions made by Mr Clarson, the applicable Penalty Guidelines, the relevant precedents and the requirements of the Human Rights Act 2019.
19. Stewards accept that Mr Clarson entered a plea of guilty at the earliest reasonable opportunity and that he cooperated fully throughout the investigation and inquiry process. Stewards also accept that he voluntarily provided access to his telephone and electronic communications, produced treatment records when requested, participated openly in the inquiry process and made genuine efforts to assist Stewards in understanding the circumstances surrounding the positive sample.

20. Stewards further accept that no evidence was obtained establishing that Mr Clarson acquired, possessed, administered or knowingly facilitated the administration of the prohibited substance. Stewards also accept that the subsequent inspection conducted by the Greyhound Welfare and Integrity Commission identified no evidence suggesting the use of permanently banned prohibited substances and reported the establishment as compliant.
21. Stewards have also taken into account Mr Clarson's personal circumstances, including the impact that disciplinary action may have upon his livelihood, his financial commitments and his responsibilities in caring for his elderly mother.
22. Balanced against those matters is the seriousness of the offending itself. The substance detected was Testosterone as evidenced by 5β -Androstane- $3\alpha,17\beta$ -diol, a Category 1 permanently banned prohibited substance. Under the QRIC Greyhound Penalty Guidelines, such substances are regarded as the most serious category of prohibited substance because of the integrity and welfare concerns associated with their presence in racing greyhounds.
23. Stewards also accept the expert evidence that substances of this nature are capable of affecting a greyhound's condition, behaviour or performance. While no finding is made that the substance enhanced the performance of Drink Miceys, Stewards consider the potential impact upon a racing greyhound to be a significant integrity consideration.
24. Although the source of the substance remains unknown, Stewards are mindful that GAR 141 is a strict liability presentation rule. The inability to identify a source may reduce culpability in some circumstances, but it does not remove the responsibility imposed by the Rule.
25. Having weighed all of these considerations, Stewards are satisfied that the matter contains mitigation but nevertheless remains a serious Category 1 permanently banned prohibited substance offence requiring a penalty that maintains integrity, promotes public confidence and provides both specific and general deterrence.

Human Rights Considerations

26. Stewards considered their obligations pursuant to the Human Rights Act 2019 and the guidance contained within the QRIC Greyhound Penalty Guidelines.
27. Stewards accepted that a period of disqualification is likely to result in financial hardship and loss of income. However, Stewards considered that such consequences are ordinary and foreseeable consequences of disciplinary action within the racing industry. Participation in racing is regulated by the Rules of Racing and disciplinary penalties will frequently impact a participant's ability to derive income from racing activities. Consistent with observations accepted by the Queensland Racing Appeals Panel in the matter of David Bailey, financial hardship alone does not justify avoiding a penalty otherwise necessary to achieve the legitimate objectives of the Rules of Racing.
28. Stewards considered whether a monetary fine, suspension, or combination of penalty types would adequately address the offending. Stewards were not satisfied that those alternatives would adequately achieve the required level of specific deterrence, general deterrence, integrity protection and public confidence necessary in a Category 1 permanently banned prohibited substance matter.
29. Stewards therefore concluded that a disqualification was the least restrictive penalty type reasonably available capable of achieving the legitimate objectives of disciplinary action in the present matter.

Penalty Findings

30. Stewards adopted the prescribed guideline starting point of 12 months disqualification for a first GAR 141 offence involving a Category 1 permanently banned prohibited substance. Stewards afforded the full 25% reduction available for an early plea of guilty, reducing the starting point from 12 months to 9 months disqualification.
31. Stewards then afforded further weight to Mr Clarson's cooperation throughout the investigation and inquiry process and considered a further reduction of one month appropriate. After balancing all mitigating and aggravating considerations, Stewards

determined that the appropriate penalty is a disqualification for a period of eight (8) months.

Penalty Decision

32. Stewards therefore order that Mr Clarson be disqualified for a period of eight (8) months. The period of disqualification shall commence with immediate effect on 28 September 2026 and expire at midnight on 27 May 2027.

Greyhound Disqualification

33. Pursuant to GAR 141(4), the greyhound Drink Mickeys is disqualified from Race 7 conducted at the Queensland Greyhound Racing Club (Q Straight) on 2 March 2026. Placings shall be amended accordingly and all prizemoney associated with that event shall be returned to Racing Queensland.

Right of Review

34. Mr Clarson 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 a review of that decision to the Queensland Racing Appeals Panel. Any application for review must be lodged within three (3) business days of the decision.