

Stewards' Report

Stewards Report: Anthony Hess

Date: 28 June 2019

Panel: A. Kitching

Today the Queensland Racing Integrity Commission (QRIC) concluded an inquiry into the following:

1. Analysts' findings, which stated Amphetamine, Methamphetamine and Pseudoephedrine were present in a sample collected from Bonknocka Lass when it placed 8th in Race 2 on the program at the Brisbane Greyhound Racing Club, on Thursday, 5th July 2018.
2. Analysts' findings, which stated Amphetamine, Methamphetamine and Pseudoephedrine were present in a sample collected from Bonknocka Lass when it placed 1st, in Race 9 on the program at the Brisbane Greyhound Racing Club, on Thursday, 2nd August 2018.
3. Analysts' findings, which stated Amphetamine, Methamphetamine and Pseudoephedrine were present in a sample collected from Button Pusher when it placed 6th, in Race 3 on the program at the Brisbane Greyhound Racing Club, on Thursday, 2nd August 2018.
4. Analysts' findings, which stated Amphetamine, Methamphetamine and Pseudoephedrine were present in a sample collected from Bonknocka Lass when it placed 1st, in Race 11 on the program at the Brisbane Greyhound Racing Club, on Thursday, 9th August 2018.
5. Analysts' findings, which stated Amphetamine, Methamphetamine and Pseudoephedrine were present in an out of competition sample collected from Button Pusher at Mr. Hess' registered kennel address, on Thursday, 16th August 2018.
6. Analysts' findings, which stated Methamphetamine was present in syringes and tablets collected from Mr. Hess' registered kennel address on 16th August 2018.

Submissions were made by Mr. Hess' representative regarding the charges.

After considering the submissions presented by Mr Hess' representative, Stewards issued the following four charges;

Subject to GAR 83(2)(a), the owner, trainer or person in charge of a greyhound nominated to compete in an event shall present the greyhound free of any prohibited substance.

Specifics of charges 1-4:

Charge 1.

That when Bonknocka Lass, of which Mr Anthony Hess, was the registered trainer at the relevant time, was on the 5th July 2018, presented at the Brisbane Greyhound Racing Club to compete in race 2 and a pre-race urine sample collected from

Bonknocka Lass was found upon analysis to contain the prohibited substances, Amphetamine, Methamphetamine and Pseudoephedrine.

Charge 2.

That when Bonknocka Lass, of which Mr Anthony Hess, was the registered trainer at the relevant time, was on the 2nd August 2018, presented at the Brisbane Greyhound Racing Club to compete in race 9 and a post-race urine sample collected from Bonknocka Lass was found upon analysis to contain the prohibited substances, Amphetamine, Methamphetamine and Pseudoephedrine.

Charge 3.

That when Button Pusher, of which Mr Anthony Hess, was the registered trainer at the relevant time, was on the 2nd August 2018, presented at the Brisbane Greyhound Racing Club to compete in race 3 and a pre-race urine sample collected from Button Pusher was found upon analysis to contain the prohibited substances, Amphetamine, Methamphetamine and Pseudoephedrine.

Charge 4.

That when Bonknocka Lass, of which Mr Anthony Hess, was the registered trainer at the relevant time, was on the 9th August 2018, presented at the Brisbane Greyhound Racing Club to compete in race 11 and a post-race urine sample collected from Bonknocka Lass was found upon analysis to contain the prohibited substances, Amphetamine, Methamphetamine and Pseudoephedrine.

After considering the submissions presented by Mr Hess' representative, Stewards issued the following charge;

Subject to GAR79A(4)(i), When a sample taken from a greyhound being trained by a licensed trainer or in the care of a registered person has been found to contain a Permanently Banned Prohibited Substance specified in sub-rule (2), i. the trainer and any other person who was in charge of such greyhound at the relevant time shall be guilty of an offence.

Specifics of charge 5:

Charge 5.

That when Button Pusher, of which Mr Anthony Hess, was the registered trainer at the relevant time, on the 16th August 2018 at Mr. Hess' registered kennel address, an out of competition urine sample was collected and was found upon analysis to contain the permanently banned prohibited substances, Amphetamine, Methamphetamine and Pseudoephedrine.

After considering the submissions presented by Mr Hess' representative, Stewards issued the following charge;

Subject to GAR79A(7), If any substance or preparation that could give rise to an offence under this rule if administered to a greyhound at any time is found at any time at any premises used in relation to the training or racing of greyhounds then any registered person who owns, trains or races or is in charge of greyhounds at those premises is deemed to

have the substance or preparation in their possession and such person shall be guilty of an offence and liable to penalty.

Specifics of charge 6:

Charge 6.

On 16th August 2018, syringes and tablets were collected from Mr Anthony Hess' registered kennel address and were found upon analysis to contain the permanently banned prohibited substance, Methamphetamine.

Mr Hess pleaded not guilty to all six charges. After further consideration, Stewards formally found Mr Hess guilty of all six charges.

QRIC Stewards considered the following on penalty:

- All charges are strict liability.
- A not guilty plea for all charges.
- The nature of the substances.
- That there is no place for the substances in the greyhound racing industry.
- General deterrence, the need to maintain integrity of greyhound racing and ensure a level playing field for all participants.
- Relevant penalty precedents.

Accordingly, the QRIC Stewards issued the following penalties:

Charge 1 – GAR83(2)(a): 12 month disqualification.
Charge 2 – GAR83(2)(a): 12 month disqualification.
Charge 3 – GAR83(2)(a): 12 month disqualification.
Charge 4 – GAR83(2)(a): 12 month disqualification.
Charge 5 – GAR79A(4)(i): 12 month disqualification.
Charge 6 – GAR79A(7): 12 month disqualification.

Acting under GAR97, the QRIC Stewards ordered all penalties to be served cumulatively, totalling a 6 year disqualification of Mr. Hess' licence. Mr. Hess was immediately suspended under the QRIC licensing standards on 3rd October 2018, which stewards have accepted as time served and backdate the start of the disqualification to 3rd October 2018. The expiry of the disqualification is 2nd October 2024.

Acting under GAR83(4), Button Pusher and Bonknocka Lass were disqualified from their respective events and all prize money was ordered to be returned.

Mr Hess was advised of his rights to an internal review.