

Stewards' Report

Date: Friday, 18 September 2020

Panel: A. Spence (Chair), A. Kitching

Person: Anthony Hoyland

Rule: GAR 83(2)(a)

Charges: (1) Presented the greyhound Don't Say Maybe to compete in race 2 at the Brisbane Greyhound Racing Club on 11 March 2020 when it was not free of a prohibited substance.

(2) Presented the greyhound Codrington Spark to compete in race 3 at the Brisbane Greyhound Racing Club on 11 March 2020 when it was not free of a prohibited substance.

Substance: norpethidine

Penalty: 36-month Disqualification

On Friday, 18 September 2020 the Queensland Racing Integrity Commission (QRIC) Stewards conducted an inquiry into analyst's findings, which stated that the permanently banned prohibited substance norpethidine was present in post-race samples taken from Don't Say Maybe and Codrington Spark on 11 March 2020 at the Brisbane Greyhound Racing Club.

Mr Anthony Hoyland, trainer of Don't Say Maybe and Codrington Spark at the relevant times, was issued an interim suspension under GAR 92(5)(c) pending the outcome of this inquiry on 23 July 2020. During this interim suspension, and at the inquiry, Mr Hoyland made submissions to the Stewards. Evidence was also taken from Dr Shawn Stanley, Director of Analytical Services Unit at the Racing Science Centre.

After considering all the evidence, Stewards issued two charges under GAR 83(2)(a) which reads:

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.

Charge 1:

Mr Anthony Hoyland did fail to present the greyhound Don't Say Maybe free of a prohibited substance when it competed at the Brisbane Greyhound Racing Club in race 2 on 11 March 2020 and a post-race sample taken from that greyhound was found upon analysis to contain the permanently banned prohibited substance norpethidine.

Charge 2:

Mr Anthony Hoyland did fail to present the greyhound Codrington Spark free of a prohibited substance when it competed at the Brisbane Greyhound Racing Club in race 3 on 11 March 2020 and a post-race sample taken from that greyhound was found upon analysis to contain the permanently banned prohibited substance norpethidine.

Mr Hoyland pleaded guilty to both charges and made submissions to the panel regarding penalty.

Stewards carefully considered Mr Hoyland' guilty pleas, his cooperation throughout the investigation and inquiry, his personal circumstances, that he has been a licensee for approximately 40 years, but also that the rule is one of strict liability.

Stewards also considered that Mr Hoyland has four prior breaches of the same rule since March 2015, which indicates that prior penalties have not been acting as adequate specific deterrents and is a serious aggravating factor. Stewards also considered the nature of the permanently banned prohibited substance being a restricted S8 drug under the Standard for the Uniform Scheduling of Medicines and Poisons and requires a strong general deterrence.

Accordingly, the Stewards issued the following penalty:

A disqualification of 18-months for each charge to be served cumulatively, totalling a disqualification period of 36-months, which was backdated to 23 July 2020, the start of the interim suspension.

Acting under the provisions of GAR 83(4), Don't Say Maybe and Codrington Spark were disqualified from race 2 and 3 respectively on 11 March 2020 at the Brisbane Greyhound Racing Club and placings amended accordingly. Stewards advised Mr Hoyland that all prizemoney received from these events be returned.

Mr Hoyland was advised of his right to an Internal Review.