

## Stewards' Report

**Date:** Tuesday, 8 February 2022

**Panel:** Mr W Hadley (Chairman), Ms A Turner

**Person:** Mr Kevin Macintosh

**Rule:** GAR 83(2)(a), GAR 83A(1), GAR84A(4)(a), GAR 84A(1)

**Charges:** Mr Kevin Macintosh:

1. Presented the greyhound Gold Black to compete in Race 5 at the Bundaberg Greyhound Racing Club on 15 November 2021 when it was not free of a prohibited substance
2. Administered a treatment without the permission of the Stewards to Gold Black on the morning of which that greyhound was engaged to compete in Race 5 at the Bundaberg Greyhound Racing Club on 15 November 2021
3. Administered a permanently banned prohibited substance pursuant to GAR79A to the greyhound Tiger Titan in or around November 2021
4. Failed to keep and produce treatment records in respect of the greyhounds in his care at his registered kennel address as at 9 December 2021

**Substance:** Caffeine, Magnesium, Anabolic Androgenic Steroid

**Penalty:** Charge 1: Three (3) month suspension to be served cumulative to Charge 3 upon being relicensed

Charge 2: One (1) month suspension to be served concurrently with Charge 1

Charge 3: Nine (9) month disqualification effective immediately

Charge 4: \$300.00 fine

---

On 8 February 2022, the Queensland Racing Integrity Commission Stewards conducted an inquiry into analysts' findings that the prohibited substance Caffeine was detected in a urine sample collected from the greyhound Gold Black when it competed in Race 5 at the Bundaberg Greyhound Racing Club on 15 November 2021 and further findings resulting from a kennel inspection undertaken at the registered kennel address of trainer Mr Kevin Macintosh.

After considering all of the evidence, Stewards issued four (4) charges to Mr Macintosh pursuant to the Greyhounds Australasia Rules as follows:

**Charge 1:** Issued pursuant to Greyhounds Australasia Rules 83(2)(a), which provides:

*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.*

The specifics of Charge 1 are as follows:

That Mr Kevin Macintosh, as the trainer of the greyhound Gold Black, did fail to present that greyhound free of a prohibited substance when it competed in, and won, Race 5 at the Bundaberg Greyhound Racing Club on 15 November 2021 and a urine sample collected from that greyhound was found, upon analysis, to contain the prohibited substance Caffeine.

**Charge 2:** Issued pursuant to Greyhounds Australasia Rules 83A(1), which provides:

*No person without the permission of the Stewards may administer or cause to be administered any treatment to a greyhound at any time on the day of the meeting until that greyhound is no longer presented for an Event.*

*For the purposes of this Rule, "treatment" includes:*

*e) All veterinary and other substances containing other scheduled and unscheduled prohibited substances.*

The specifics of Charge 2 are as follows:

That Mr Kevin Macintosh, as the trainer of the greyhound Gold Black, did administer a treatment, being Voost MG, to Gold Black without the permission of the Stewards on the morning of which it was engaged to compete in Race 5 at the Bundaberg Greyhound Racing Club on 15 November 2021

**Charge 3:** Issued pursuant to Greyhounds Australasia Rules 84A(4)(a), which provides:

*It shall be an offence for any person to acquire, attempt to acquire, administer or allow to be administered to any greyhound, any Permanently Banned Prohibited Substance referred to in Rule 79A.*

The specifics of Charge 3 are as follows:

That Mr Kevin Macintosh, did, on his own admission, administer Testoprop, being a permanently banned prohibited substance pursuant to GAR79A, to the greyhound Tiger Titan in or around November 2021.

**Charge 4:** Issued pursuant to Greyhounds Australasia Rules 84A(1), which provides:

*The person in charge of a greyhound must keep and retain records detailing all vaccinations, antiparasitics and medical treatments administered to a greyhound from the time the greyhound enters their care until the greyhound leaves their care and for a minimum of two (2) years. Such record of treatment must be produced for inspection when requested by a Steward or a person authorised by the Controlling Body. Any person responsible for a greyhound at the relevant time who fails to comply with any provision of this rule shall be guilty of an offence.*

The specifics of Charge 4 are as follows:

That Mr Kevin Macintosh failed to keep and produce treatment records in respect of the greyhounds in his care at his registered kennel address as at 9 December 2021.

Mr Macintosh pleaded guilty to all four (4) charges and made brief submissions to the Stewards regarding penalty.

Stewards considered the following when determining penalty:

- Mr Macintosh's plea of guilty to all four (4) charges at the earliest available opportunity;
- Mr Macintosh's time in the greyhound racing industry as a trainer, being approximately forty (40) years;
- Mr Macintosh's forthright evidence and cooperation;
- Mr Macintosh's disciplinary history, noting he has one (1) prior offence in 2014 pursuant to Greyhounds Australasia Rule 83(2)(a);
- the number of greyhounds currently under Mr Macintosh's care and control, being approximately twenty (20) greyhounds;
- the nature of the prohibited substances, particularly noting that anabolic androgenic steroids are permanently banned prohibited substances across all codes, with possession of an anabolic steroid also being an offence, and therefore a clear message needs to be sent to the industry that any breach of this rule is serious and cannot be tolerated;
- Mr Macintosh's knowledge that the anabolic androgenic steroid was a permanently banned prohibited substance, however still acquired the product and administered the product to a greyhound with this knowledge;
- the need to maintain the integrity of greyhound racing and to ensure a level playing field for all participants;
- the need for both specific and general deterrence; and
- relevant penalty precedents.

Accordingly, the Stewards issued the following penalties:

**Charge 1:** Three (3) month licence suspension to be served cumulative to Charge 3 upon Mr Macintosh becoming relicensed

**Charge 2:** One (1) month licence suspension to be served concurrently with Charge 1

**Charge 3:** Nine (9) month disqualification effective immediately

**Charge 4:** \$300.00 fine

Acting under the provisions of Greyhounds Australasia Rule 83(4), Stewards directed that Gold Black be disqualified from Race 5 at the Bundaberg Greyhound Racing Club on 15 November 2021 (1<sup>st</sup> place)

Stewards ordered that the placings be amended accordingly and Mr Macintosh was advised that all prizemoney associated with this event must be returned to Racing Queensland.

Stewards permitted Mr Macintosh seven (7) days from midnight 8 February 2022 to transfer all greyhounds from his care and control, with Stewards permission being required for each transfer.

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