

Stewards' Report

Date: Wednesday, 16 November 2022

Panel: Mr W Hadley (Chairperson), Ms Aleisha Turner, Mr R Doss

Person: Mr Ken Boody

Rule: GAR 83(2)(a), GAR 105(1)

Charges:

1. Presented the greyhound Perfect Pacific to compete in Race 3 at the Townsville Greyhound Racing Club on 19 April 2022 when it was not free of a prohibited substance
2. Failed to keep the greyhound Perfect Pacific at his registered kennel address from on or around 16 April 2022 without the prior permission of the Controlling Body

Substance: Apomorphine

Penalty: Charge 1: Twelve (12) month suspension wholly suspended for twelve (12) months and a \$2,000.00 fine
Charge 2: \$500.00 fine

On 16 November 2022, the Queensland Racing Integrity Commission Stewards concluded an inquiry into analysts' findings that the prohibited substance Apomorphine was detected in a post-race urine sample collected from the greyhound Perfect Pacific when it competed in, and won, Race 3 at the Townsville Greyhound Racing Club on 19 April 2022.

Submissions were made by Mr Ken Boody as the licensed trainer of Perfect Pacific at the relevant time, together with his father, licensed trainer Mr Steven Boody.

After considering all of the evidence, Stewards issued two (2) charges pursuant to the Greyhounds Australasia Rules effective 1 July 2016 as follows:

Charge 1: Issued pursuant to Greyhounds Australasia Rule 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 were as follows:

That Mr Ken Boody, as the trainer of the greyhound Perfect Pacific, did present that greyhound to compete in Race 3 at the Townsville Greyhound Racing Club on 19 April 2022 with a prohibited substance in its system, namely Apomorphine, as detected by the Racing Science Centre and confirmed by Racing Analytical Services Limited in the post-race urine sample collected from the greyhound on 19 April 2022.

Charge 2: Issued pursuant to Greyhounds Australasia Rule 105(1), which provides:

A greyhound shall at all times be kept at the registered address of its trainer or owner unless permission to do otherwise is first obtained from the Controlling Body.

The specifics of Charge 2 were as follows:

That Mr Ken Boody, as the trainer of the greyhound Perfect Pacific, failed to keep that greyhound at his registered kennel address from on or around 16 April 2022 without the prior permission of the Controlling Body.

Mr Boody entered a plea of not guilty to Charge 1 and a plea of guilty to Charge 2, providing further brief submissions in respect of his not guilty plea.

Stewards considered Mr Boody's further submissions and the Stewards formally found Mr Boody guilty of Charge 1, with Mr Boody then providing brief submissions regarding penalty.

In determining the matter of penalty, Stewards considered the following:

- Mr Boody's plea of not guilty to Charge 1;
- Mr Boody's plea of guilty to Charge 2 at the earliest available opportunity;
- Mr Boody's time in the greyhound racing industry, being approximately ten (10) years;
- Mr Boody's personal circumstances, noting that he derives his income solely from the greyhound racing industry with approximately thirty (30) greyhounds currently in his care and custody;
- Mr Boody's disciplinary history, noting one (1) prior breach of Greyhounds Australasia Rule 83(2)(a) involving Mefenamic Acid in December 2020;
- the circumstances of the offending, specifically the background to the training of the greyhound Perfect Pacific;
- that holding a licence within the greyhound racing industry is a privilege, not a right, and it is the participant's responsibility to comply with his/her obligations under the Greyhounds Australasia Rules;
- the need for both specific and general deterrence; and
- relevant penalty precedents.

Accordingly, the Stewards imposed the following penalties:

Charge 1: Twelve (12) month licence suspension, with Stewards electing to wholly suspend the penalty for a period of twelve (12) months acting under Greyhounds Australasia Rule 95(3) conditional upon no similar breach of the Greyhounds Australasia Rules and a \$2,000.00 fine

Charge 2: \$500.00 fine

Acting under the provisions of Greyhounds Australasia Rule 83(4), Stewards directed that Perfect Pacific be disqualified from Race 3 at the Townsville Greyhound Racing Club on 19 April 2022 (1st place) and further that Perfect Pacific be disqualified from Race 2 at the Townsville Greyhound Racing Club on 26 April 2022 pursuant to Greyhounds Australasia Rule 83(5), being a further event of the series in which Perfect Pacific previously competed in when the prohibited substance Apomorphine was detected in the greyhound's post-race sample.

Stewards ordered that the placings be amended accordingly and Mr Boody was advised that all prizemoney associated with these events must be returned to Racing Queensland.

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