

Stewards' Report

Date:	Thursday 16 March 2023
Panel:	Mr S Larkins (chairperson), Mr R Doss
Person:	Mr Phillip Sear
Rule:	GAR 141(1)(a)
Charges:	Mr Phillip Sear presented the greyhound Crème De Monte to compete in Race 1 at the Rockhampton Greyhound Racing Club on 5 October 2022 when it was not free of a prohibited substance
Substance:	Cobalt
Penalty:	Twelve (12) month licence suspension with six (6) months wholly suspended for twenty-four (24) months

On 16 March 2023, the Queensland Racing Integrity Commission Stewards conducted an inquiry into analysts' findings that the prohibited substance Cobalt was detected in a post-race urine sample collected from the greyhound Crème De Monte when it competed in, and won, Race 1 at the Rockhampton Greyhound Racing Club on 05 October 2022.

Submissions were made by Mr Phillip Sear during the inquiry as the licensed trainer/owner of Crème De Monte at the relevant time.

After considering all of the evidence, Stewards issued a charge pursuant to Greyhounds Australasia Rule 141(1)(a), which provides:

The owner, trainer or other person in charge of a greyhound, nominated to compete in an Event, must present the greyhound free of any prohibited substance.

The specifics of the charge were as follows:

That Mr Phillip Sear, as the trainer/owner of the greyhound Crème De Monte, did present that greyhound to compete in Race 1 at the Rockhampton Greyhound Racing Club on 05 October 2022 with a prohibited substance in its system, namely Cobalt as detected by the Racing Science Centre and confirmed by Racing Analytical Services Limited at a level in excess of the mass concentration limit of 100 nanograms per millilitre in the post-race urine sample collected from the greyhound on 05 October 2022.

Mr Sear entered a plea of guilty to the charge and made further submissions in respect of penalty.

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

- Mr Sear's plea of guilty to the charge at the earliest available opportunity;
- Mr Sear's time in the greyhound racing industry as a trainer, being approximately fifteen (15) years;
- Mr Sear's disciplinary history, noting Mr Sear has not breached the prohibited substance rules in the past;
- the minimal number of greyhounds currently in Mr Sear's care and custody, being only one (1) greyhound;

- the need to maintain the integrity of greyhound racing and to ensure a level playing field for all participants;
- the need for both specific deterrence to Mr Sear and general deterrence to the wider industry; and
- relevant penalty precedents.

Accordingly, Stewards determined that the appropriate penalty was a twelve (12) month licence suspension with Stewards electing under Greyhound Australasia Rule 174(3) to wholly suspend six (6) months for a period of twenty-four (24) months conditional upon no further breach of a similar nature.

Stewards ordered that the suspension commence as of midnight 16 March 2023.

Acting under the provisions of Greyhounds Australasia Rule 141(4), Stewards directed that Crème De Monte be disqualified from Race 1 at the Rockhampton Greyhound Racing Club on 05 October 2022.

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

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