

Stewards' Report

Date:	Wednesday, 7 June 2023
Panel:	Mr N Thorneycroft (Chairperson), Mr D Aurisch, Mr R Jackson
Person:	Mr David Fitzgerald
Rule:	GAR 142(1)(a)
Charges:	Mr David Fitzgerald administered a prohibited substance, being Apomorphine, to the greyhound 'Empire Rolls On' on or around 5 March 2023, with that substance being detected in a sample collected from that greyhound when it was presented to compete in Race 11 at the Capalaba Greyhound Racing Club on 8 March 2023
Substance:	Apomorphine
Penalty:	Two (2) month suspension wholly suspended for twelve (12) months and a \$2,000.00 fine

On 7 June 2023, Queensland Racing Integrity Commission (QRIC) Stewards conducted an inquiry into analysts' findings that the prohibited substance Apomorphine was detected in a post-race urine sample collected from the greyhound Empire Rolls On when it competed in, and won, Race 11 at the Capalaba Greyhound Racing Club on 8 March 2023.

Submissions were made by Mr David Fitzgerald during the inquiry as the licensed trainer of Empire Rolls On at the relevant time.

After considering all the evidence, Stewards issued a charge pursuant to Greyhounds Australasia Rule 142(1)(a), which provides:

An offence is committed if a person:

(a) administers, attempts to administer or causes to be administered a prohibited

substance to a greyhound; which is established in any sample taken from a greyhound presented for an Event or when subject to any other contingency pursuant to the Rules

The specifics of the charge were as follows:

That Mr David Fitzgerald did administer a prohibited substance, being Apomorphine, to the greyhound 'Empire Rolls On' on or around 5 March 2023, with that substance being detected in a sample collected from that greyhound when it was presented to compete in Race 11 at the Capalaba Greyhound Racing Club on 8 March 2023.

Mr Fitzgerald 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 Fitzgerald's plea of guilty to the charge;
- Mr Fitzgerald's time in the greyhound racing industry as a trainer, being approximately forty-two (42) years;
- Mr Fitzgerald forthright evidence and cooperation throughout the inquiry;

- Consideration of the QRIC Greyhound Racing Penalty Guidelines;
- 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 Fitzgerald and general deterrence to the wider industry.

Accordingly, the Stewards imposed the following penalties: Two (2) month licence suspension, with Stewards electing to wholly suspend the penalty for a period of twelve (12) months acting under Greyhounds Australasia Rule 174(3) conditional upon no similar breach of the Greyhounds Australasia Rules and a \$2,000.00 fine

Acting under the provisions of Greyhounds Australasia Rule 141(4), Stewards directed that Empire Rolls On be disqualified from Race 11 at the Capalaba Greyhound Racing Club on 8 March 2023 and ordered that the placings be amended accordingly.

Mr Fitzgerald was advised of his right to appeal.