

Stewards' Report

Date: Thursday, 22 June 2023
Panel: Mr S Larkins (Chairperson), Mr R Doss, Mr J Randall
Person: Mr Jeffrey Kuhl
Rule: GAR 141(1)(a)

Charges:

1. Mr Jeffrey Kuhl presented the greyhound Canary Wharf to compete in Race 12 at the Rockhampton Greyhound Racing Club on 29 March 2023 when it was not free of a prohibited substance.
2. Mr Jeffrey Kuhl presented the greyhound Double Espresso to compete in Race 12 at the Rockhampton Greyhound Racing Club on 29 March 2023 when it was not free of a prohibited substance.

Substance: Cobalt

Penalty: 12 months suspension with (6) months wholly suspended for twelve (12) months on each charge to be served concurrently.

On 22 June 2023, the Queensland Racing Integrity Commission Stewards conducted an inquiry into analysts' findings that the prohibited substance Cobalt was detected in pre-race urine samples collected from the greyhounds Canary Wharf and Double Espresso when they were presented to compete in, Races 12 and 9 respectively at the Rockhampton Greyhound Racing Club on 29 March 2023.

Submissions were made by Mr Kuhl during the inquiry as the licensed trainer of Canary Wharf and Double Espresso at the relevant time.

After considering all the evidence, Stewards issued two (2) charges 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 charges were as follows:

That Mr Jeffrey Kuhl, as the trainer of the greyhounds Canary Wharf and Double Espresso, did present both greyhounds to compete in Races 12 and 9 respectively, at the Rockhampton Greyhound Racing Club on 29 March 2023 with a prohibited substance in their systems, 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 urine samples collected from the greyhounds on 29 March 2023.

Mr Kuhl entered a plea of guilty to the charges and made further submissions in respect of penalty. In determining the matter of penalty, Stewards considered the following:

- Mr Kuhl's plea of guilty to the charges at the earliest available opportunity;
- Mr Kuhl's time in the greyhound racing industry as a trainer, being approximately thirty-five (35) years;
- Mr Kuhl's disciplinary history, noting Mr Kuhl had a prior breach of the prohibited substance rules in 2019 for the same substance where a period of 9 months disqualification was imposed;
- Stewards were mindful of the change in approach relating to penalties since Mr Kuhl's rule breach in 2018.
- the number of greyhounds currently in Mr Kuhl's care and custody, being (9) greyhounds;
- the nature of the prohibited substance, being Cobalt, and the various industry notices issued to racing participants regarding products containing Cobalt;
- 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 Kuhl and general deterrence to the wider industry; and
- relevant penalty precedents.
- The Human Rights Act 2019.
- Greyhound Racing Minimum Penalty Guidelines.

Accordingly, Stewards determined that the appropriate penalty for the two breaches be a 6-month licence suspension.

Stewards ordered that the suspension commence as of midnight 22 June 2023.

Acting under the provisions of Greyhounds Australasia Rule 141(4), Stewards directed that Canary Wharf and Double Espresso be disqualified from Races 12 and 9 respectively at the Rockhampton Greyhound Racing Club on 29 March 2023.

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

Mr Kuhl was advised of his right of appeal.

