

## Stewards' Report

**Date:** Friday, 11 August 2023  
**Panel:** Mr W Hadley (Chairperson), Mr D Aurisch, Mr M Fernholz  
**Person:** Mr Brian Baker  
**Rule:** GAR 141(1)(a)  
**Charges:** Mr Brian Baker presented the greyhound:  
Waikarie Molly to compete in Race 10 at the Brisbane Greyhound Racing Club on 16 March 2023 when it was not free of a prohibited substance  
**Substance:** Amphetamine and Methamphetamine  
**Penalty:** Charge 1: Twelve (12) month suspension with six (6) months wholly suspended for twenty-four (24) months.

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On 11 August 2023, the Queensland Racing Integrity Commission Stewards concluded an inquiry into the analysts' findings that the permanently banned prohibited substances Amphetamine and Methamphetamine were detected in a pre-race urine sample collected from the greyhound Waikarie Molly when it competed in, and won, Race 10 at the Brisbane Greyhound Racing Club on 16 March 2023.

Extensive written submissions were tendered by Mr Brian Baker and further oral submissions were made by Mr Baker as the licensed trainer of the greyhound Waikarie Molly at the relevant time. Unlicensed person Ms Louise Abbott tendered written and further oral submissions. Evidence was also tendered by Racing Science Centre, General Manager Dr Shawn Stanley.

After considering all the evidence, Stewards issued one (1) 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 Charge 1 were as follows:

That Mr Brian Baker, as the trainer of the greyhound Waikarie Molly, did present that greyhound to compete in Race 10 at the Brisbane Greyhound Racing Club on 16 March 2023 with a permanently banned prohibited substance in its system, namely Amphetamine and Methamphetamine, as detected by the Racing Science Centre and confirmed by Racing Analytical Services Limited in the pre-race urine sample collected from the greyhound on 16 March 2023.

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

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

- Mr Baker's plea of guilty to the charge at the earliest available opportunity;
- Mr Baker's time in the greyhound racing industry as a trainer, being approximately thirty-five (35) years;
- Mr Baker's good character, together with his forthright evidence and cooperation throughout the inquiry;
- Mr Baker's immediate review of, and amendment to, his animal husbandry practices upon being notified of the initial positive result;
- Mr Baker's personal circumstances, specifically that he is currently a hobby trainer;
- Mr Baker's disciplinary history, noting no prior breach of the similar rule;
- the nature of the permanently banned prohibited substances, being Amphetamine and Methamphetamine, noting that it is a permanently banned prohibited substance across all codes and therefore a clear message needs to be sent to the industry that any breach involving permanently banned prohibited substances is serious and cannot be tolerated;
- 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 Baker and general deterrence to the wider industry; and
- relevant penalty precedents.
- The mitigating circumstance in particular, Mr Baker was absent from his registered kennel address in the week prior to the date of the breach, due to a family bereavement interstate. Mr Baker engaged an unlicensed family member to care for his greyhounds for the week prior to the breach.
- The Human Rights Act 2019.
- Greyhound Racing Penalty Guidelines 2023.

Accordingly, the Stewards imposed the following penalties:

**Charge 1:** Twelve (12) month suspension with Stewards electing to wholly suspend Six (6) months pursuant to Greyhounds Australasia Rule 174(3) for a period of twenty-four (24) months conditional upon no further breach of a similar nature.

Mr Baker's licence and registration were suspended by the Stewards from 11 August 2023. Further, Stewards permitted Mr Baker fourteen (14) days from midnight 11 August 2023 to transfer greyhounds from his care and custody, with Stewards permission being required for each transfer.

Acting under the provisions of Greyhounds Australasia Rule 141(4), Stewards directed that:

Waikarie Molly be disqualified from Race 10 at the Brisbane Greyhound Racing Club on 16 March 2023 (1<sup>st</sup> place).

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

Further, Mr Baker was advised that Waikarie Molly would be ineligible to be nominated for any further event pursuant to Greyhounds Australasia Rule 139(4) until a clear sample has been collected from each greyhound respectively.

Mr Baker was advised of his right to an appeal.