

## Stewards' Report

**Date:** Wednesday, 15 May 2024  
**Panel:** Ms A Turner (Chairperson), Ms B McErlean  
**Person:** Mr Mark Rothwell  
**Rule:** GAR 141(1)(a)  
**Charges:** Mr Mark Rothwell presented the greyhound Work Boot to compete in Race 11 at the Brisbane Greyhound Racing Club on 13 November 2023 when it was not free of a prohibited substance  
**Substance:** 5 $\beta$  Androstane-3 $\alpha$ , 17 $\beta$ -Diol  
**Penalty:** Twelve (12) month disqualification

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On 15 May 2024, the Queensland Racing Integrity Commission stewards concluded an inquiry into analysts' findings that the permanently banned prohibited substance 5 $\beta$  Androstane-3 $\alpha$ , 17 $\beta$ -Diol was detected at a level in excess of the mass concentration limit of 100 nanograms per millilitre in a pre-race urine sample collected from the greyhound Work Boot when it competed in Race 11 at the Brisbane Greyhound Racing Club on 13 November 2023.

Submissions were made by Mr Mark Rothwell during the inquiry as the licensed trainer of the greyhound Work Boot 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 Mark Rothwell, as the trainer of the greyhound Work Boot, did present that greyhound to compete in Race 11 at the Brisbane Greyhound Racing Club on 13 November 2023 with a permanently banned prohibited substance in its system, namely 5 $\beta$  Androstane-3 $\alpha$ , 17 $\beta$ -Diol as detected by the Racing Science Centre and confirmed by ChemCentre at a level in excess of the mass concentration limit of 100 nanograms per millilitre in the pre-race urine sample collected from the greyhound on 13 November 2023.

Mr Rothwell entered a plea of not guilty to the charge and made submissions in respect of his plea.

Stewards considered Mr Rothwell's further submissions and subsequently found Mr Rothwell guilty of the charge, with Mr Rothwell then providing submissions in respect of penalty.

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

- Mr Rothwell's plea of not guilty to the charge;
- Mr Rothwell's time in the greyhound racing industry as a trainer, being approximately three (3) years;
- Mr Rothwell's disciplinary history, noting no prior breaches of a similar nature;
- Mr Rothwell's forthright evidence and cooperation throughout the inquiry;
- Mr Rothwell's personal circumstances;
- the nature of the permanently banned prohibited substance, being 5 $\beta$  Androstane-3 $\alpha$ , 17 $\beta$ -Diol, noting that the substance is a permanently banned prohibited substance across all codes of racing 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 absence of any explanation as to the likely source of the permanently banned prohibited substance, despite Mr Rothwell's immense efforts to determine the source of the substance;
- 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 Rothwell and general deterrence to the wider industry;
- relevant penalty precedents;
- the Queensland Racing Integrity Commission Greyhound Racing Penalty Guidelines; and
- the Human Rights Act 2019.

Accordingly, the stewards imposed a penalty of a twelve (12) month disqualification effective from 18 May 2024.

Stewards permitted Mr Rothwell fourteen (14) days from 18 May 2024 to transfer all greyhounds from his care and custody, with steward's permission being required for each transfer.

Acting under the provisions of Greyhounds Australasia Rule 141(4), stewards directed that Work Boot be disqualified from Race 11 at the Brisbane Greyhound Racing Club on 13 November (6<sup>th</sup> place).

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

Mr Rothwell was advised of his right to a review of the decision.