

Stewards' Report

Date:	Tuesday, 4 June 2024
Panel:	Mr J Philp (Chairperson), Ms A Turner, Mr N Thorneycroft, Ms B McErlean
Person:	Mr David Bailey
Rule:	GAR 141(1)(a)
Charges:	Mr David Bailey presented the greyhound Diva Unleashed to compete in Race 4 at the Ipswich Greyhound Racing Club on 11 April 2024 when it was not free of a prohibited substance
Substance:	Arsenic
Penalty:	Three (3) month licence suspension with two (2) months conditionally suspended for twenty-four (24) months

On 4 June 2024, the Queensland Racing Integrity Commission (QRIC) stewards concluded an inquiry into analysts' findings that the prohibited substance arsenic was detected at a level in excess of the mass concentration limit of 800 nanograms per millilitre in a post-race urine sample collected from the greyhound Diva Unleashed when it competed in, and won, Race 4 at the Ipswich Greyhound Racing Club on 11 April 2024.

Submissions were made by Mr David Bailey as the licensed trainer of Diva Unleashed at the relevant time.

After considering all of the evidence, stewards issued a charge pursuant to the 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 David Bailey, as the trainer of the greyhound Diva Unleashed, did present that greyhound to compete in Race 4 at the Ipswich Greyhound Racing Club on 11 April 2024 with a prohibited substance in its system, namely arsenic 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 800 nanograms per millilitre in the post-race urine sample collected from the greyhound on 11 April 2024.

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

Stewards considered the following when determining penalty:

- Mr Bailey's plea of guilty to the charge at the earliest available opportunity;
- Mr Bailey's time in the greyhound racing industry as a trainer, being approximately three (3) years;

- Mr Bailey's forthright evidence and cooperation throughout the inquiry;
- Mr Bailey's disciplinary history noting no prior breaches of a similar nature but noting breaches in respect of animal husbandry practices;
- the nature of the prohibited substance, being Arsenic and the explanation provided as to the likely source of the substance, being the feeding of sardines to the greyhound pre-race and the chewing of treated wood in the kennels;
- Mr Bailey's immediate review of, and amendment to, his animal husbandry practices upon being notified of the positive analysis;
- 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 Bailey 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, stewards determined that the appropriate penalty was a three (3) month licence suspension, electing under Greyhounds Australasia Rule 174(3) to suspend two (2) months of the penalty for a period of twenty-four (24) months conditional upon no further breach of a similar nature with the penalty to commence on 5 June 2024.

Acting under the provisions of Greyhounds Australasia Rule 141(4), stewards directed that Diva Unleashed be disqualified from Race 4 at the Ipswich Greyhound Racing Club on 11 April 2024 (1st place).

Acting under the provisions of Greyhounds Australasia Rule 141(5), Stewards further directed that Diva Unleashed be disqualified from Race 1 at the Ipswich Greyhound Racing Club on 17 April 2024 (5th place), being a further event of the series in which Diva Unleashed had previously competed in when the prohibited substance arsenic was detected at a level in excess of the mass concentration limit of 800 nanograms per millilitre in the greyhound's post-race sample.

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

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