

Stewards' Report

Date:	Wednesday, 7 August 2024
Panel:	Ms A Turner (Chairperson), Mr D Broxham, Ms B McErlean
Person:	Mr Kevin Macintosh
Rule:	GAR 141(1)(a)
Charges:	Mr Kevin Macintosh presented the greyhound Mini Miner to compete in Race 1 at the Ipswich Greyhound Racing Club on 30 May 2024 when it was not free of a prohibited substance
Substance:	Tramadol and O-desmethyltramadol
Penalty:	Eight (8) week licence suspension wholly and conditionally suspended for a period of twelve (12) months together with a \$1,500.00 fine

On 7 August 2024, the Queensland Racing Integrity Commission Stewards concluded an inquiry into analysts' findings that the prohibited substances Tramadol and O-desmethyltramadol were detected in a post-race urine sample collected from the greyhound Mini Miner when it competed in, and won, Race 1 at the Ipswich Greyhound Racing Club on 30 May 2024.

Submissions were made by Mr Kevin Macintosh as the licensed trainer of Mini Miner 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:

On 30 May 2024 at the Ipswich Greyhound Racing Club, Mr Kevin Macintosh, as the trainer of the greyhound Mini Miner, did present that greyhound to compete in Race 1 with prohibited substances in its system, namely Tramadol and O-desmethyltramadol.

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

Stewards considered the following when determining penalty:

- Mr Macintosh's plea of guilty to the charge at the earliest available opportunity;
- Mr Macintosh's time in the greyhound racing industry, being approximately forty-five (45) years;

- Mr Macintosh's forthright evidence and cooperation throughout the inquiry;
- Mr Macintosh's personal circumstances, noting that he derives his income solely from the greyhound racing industry;
- Mr Macintosh's disciplinary history, noting two (2) prior breaches of a similar nature in 2014 and 2021 respectively;
- the nature of the prohibited substances, being Tramadol and O-desmethyltramadol;
- the explanation provided by Mr Macintosh as to the likely source of the prohibited substances, being from Tramadol tablets administered to a greyhound in a neighbouring kennel;
- Mr Macintosh'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 Macintosh and general deterrence to the wider industry;
- relevant penalty precedents;
- the Queensland Racing Integrity Commission Greyhound Penalty Guidelines; and
- the Human Rights Act 2019.

Accordingly, Stewards determined that the appropriate penalty was an eight (8) week licence suspension with Stewards electing to wholly suspend the suspension pursuant to Greyhounds Australasia Rule 174(3) for a period of twelve (12) months conditional upon no further breach of a similar nature, together with a monetary penalty in the amount of \$1,500.00.

Acting under the provisions of Greyhounds Australasia Rule 141(4), Stewards directed that Mini Miner be disqualified from Race 1 at the Ipswich Greyhound Racing Club on 30 May 2024 (1st place).

Acting under the provisions of Greyhounds Australasia Rule 141(5), Stewards further directed that Mini Miner be disqualified from Race 10 at the Ipswich Greyhound Racing Club on 6 June 2024 (2nd place), being a further event of the series in which Mini Miner had previously competed in when the prohibited substances Tramadol and O-desmethyltramadol were detected in the greyhound's post-race sample.

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

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