

Stewards' Report

Date:	Wednesday, 21 August 2024
Panel:	Mr C Ferguson (Chairperson), Ms A Turner, Mr Ryan Jackson
Person:	Mr Mark Saal
Rule:	GAR 141(1)(a)
Charges:	On 18 June 2024, Mr Mark Saal presented the greyhound Kajagoogoo to compete in Race 4 at the Ipswich Greyhound Racing Club when it was not free of a prohibited substance
Substance:	Arsenic
Penalty:	Three (3) month licence suspension wholly and conditionally suspended for twelve (12) months together with a \$1,000.00 fine

On 21 August 2024, the Queensland Racing Integrity Commission 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 Kajagoogoo when it competed in, and won, Race 4 at the Ipswich Greyhound Racing Club on 18 June 2024.

Submissions were made by Mr Mark Saal as the licensed trainer of Kajagoogoo 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 18 June 2024 at the Ipswich Greyhound Racing Club, Mr Mark Saal, as the trainer of the greyhound Kajagoogoo, did present that greyhound to compete in Race 4 with a prohibited substance in its system, namely Arsenic at a level in excess of the mass concentration limit of 800 nanograms per millilitre.

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

Stewards considered the following when determining penalty:

- Mr Saal's plea of guilty to the charge at the earliest available opportunity;
- Mr Saal's time in the greyhound racing industry, being approximately forty (40) years;
- Mr Saal's forthright evidence and cooperation throughout the inquiry;
- Mr Saal's exemplary disciplinary history noting no prior breaches of any nature;

- Mr Saal's personal circumstances, noting Mr Saal derives his income solely from the greyhound racing industry;
- the nature of the prohibited substance Arsenic and the explanation provided as to the likely source of the substance, being a copper log in the subject greyhound's yard;
- Mr Saal'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 Saal, being at the lower end, 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 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 \$1,000.00.

Acting under the provisions of Greyhounds Australasia Rule 141(4), Stewards directed that Kajagoogoo be disqualified from Race 4 at the Ipswich Greyhound Racing Club on 18 June 2024 (1st place).

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

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