

### STEWARDS INQUIRY DECISION

<b>Date of Decision:</b>	25/05/2022
<b>Stewards Panel:</b>	Michael Hoyle (Chairman), Ben Plunkett, Jeremy Gleeson
<b>Name:</b>	Lynden Nichols
<b>Track/Race:</b>	Hobart Greyhound Racing Club – Race 3
<b>Date:</b>	26 <sup>th</sup> August 2021
<b>Rule no:</b>	Old GAR – 83(2)(a) & New GAR 141(1)(a) - The Owner, Trainer, or person in charge of a greyhound - (a) nominated to compete in an Event, shall present the greyhound free of any prohibited substance.
<b>Charge(s):</b>	Mr. Lynden Nichols, the trainer of LYNCAR BLUE BOY, presented that greyhound to compete in Race 3 at the Hobart Greyhound Racing Club on 26 <sup>th</sup> August 2021, the Jordan Croft M14/5MA - 461 metres. A pre-race urine sample was taken from LYNCAR BLUE BOY and upon analysis was found to contain CODEINE & MORPHINE.
<b>Prohibited Substance:</b>	CODEINE & MORPHINE
<b>Inquiry Decision:</b>	Suspension of licence for two (2) months commencing 25/05/2022 and expiring midnight 24/07/2022.

#### FACTS:

A pre-race swab sample taken from LYNCAR BLUE BOY at the Hobart Greyhound Racing Club meeting on the 26<sup>th</sup> August 2021 was found upon analysis to contain CODEINE & MORPHINE, which under the Greyhound Australasian Rules is a prohibited substance.

#### INQUIRY:

Office of Racing Integrity Stewards inquired into reports from the Racing Analytical Services Limited, that CODEINE & MORPHINE had been detected in a pre-race urine sample taken from LYNCAR BLUE BOY at the Hobart Greyhound Racing Club on 26<sup>th</sup> August 2021.

Stewards heard evidence tendered by trainer, Mr. Lyndon Nichols, and Racing Analytical Services Limited Director, Dr David Batty.

After considering the evidence tendered, Mr. Nichols was charged pursuant to GAR 141(1)(a) for presenting LYNCAR BLUE BOY to compete in an event when not free of the prohibited substance.

After hearing submissions on penalty, Stewards took the following things into consideration:

- Mr. Nichols' guilty plea;
- His conduct and honesty throughout the inquiry;
- His prior record which showed no breaches of the prohibited substance rules;
- His time involved within the industry;
- Mr Nichols' culpability in this incident, which Stewards classified as careless;
- The nature of the substance;

- Although not unequivocal, contamination from Mr Nichols' personal medication was a possible cause of the positive swab sample;
- The need for any penalty to act as a deterrent, both specific and general;
- The importance of fairness by maintaining a drug free environment;
- Precedents of breaches of the prohibited substances rules and penalties that have been issued throughout Australia where cross contamination is the likely cause of the positive sample, in particular the following recent Stewards decision from Tasmania:

1. Mr Daryl Howlin – Atenolol.

**DECISION:**

Mr Nichols' licence was suspended for a period of two (2) months commencing 25/05/2022 and expiring midnight 24/07/2022.

Acting under the provisions of Old GAR 83(4) & New GAR 141 (4) which reads:

*"A greyhound presented for an Event in circumstances where subrule (1) of this rule has been breached must be disqualified from the relevant Event and from receiving any benefit derived from the relevant trial, test or examination".*

LYNCAR BLUE BOY will be disqualified from Race 3 at the Hobart Greyhound Racing Club meeting on 26<sup>th</sup> August 2021.

Mr Nichols' was advised of his right of appeal.