

# Tasracing Integrity Unit

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*Tasracing  
Integrity Unit*



## STEWARDS DECISION

### TASRACING INTEGRITY UNIT

and

### Mr Michael Sutcliffe

**Stewards Panel:** Dominic Tyson (Chair), Mr G Griffin.:

**Respondent Greyhound Trainer** Mr M Sutcliffe (Inquiry held in his absence with consent)

**Rule:** *Greyhound Australasia Rule 141(1)(a)*

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.

**Charge:** That Mr Sutcliffe, being the trainer and person in charge of Buzz The Hustler, did present the greyhound to race at a meeting of the Hobart Greyhound Racing Club on 12th August 2024 when not free of a prohibited substance. The Prohibited Substance being Caffeine and its metabolites, Theophylline, Paraxanthine, and Theobromine.

**Plea:** Not Guilty

**Inquiry Decision:** Guilty

**Penalty imposed:** Penalty - Three-(3) month suspension of his trainers licence to commence midnight 21<sup>st</sup> March 2025.

1. Summary of Facts
  - 1.1. The Respondent, Mr. Sutcliffe is a licensed greyhound trainer based at Old Beach, Tasmania.
  - 1.2. On the 12th of August 2024, Mr. Sutcliffe transported Buzz The Hustler to Hobart to compete in Race 6 at the Hobart Greyhound Racing Club.
  - 1.3. Buzz The Hustler competed in Race 6, winning that event and was subject to a post-race urine sample.

- 1.4. The sample obtained from Buzz The Hustler was given the unique sample number R011486.
- 1.5. On September 16, 2024, Racing Analytical Services Ltd issued a Certificate of Analysis reporting that Caffeine, Theophylline, Paraxanthine, and Theobromine had been detected in sample R011486
- 1.6. On October 1<sup>st</sup>, 2024, the Australian Racing Forensic Laboratory confirmed the presence of Caffeine, Theophylline, Paraxanthine, and Theobromine in sample R011486

## 2. Penalty Discussion

- 2.1. Turning to the matter of penalty, the Stewards are cognisant of the following Sentencing Principles that penalties are designed to punish the offender for his/her wrongdoing. They are not meant to be retributive in the sense that the punishment is disproportionate to the offence, but the offender must be met with a punishment.
- 2.2. That in a racing context it is very important that a penalty has the effect of deterring others from committing similar offences through the consideration of both general and specific deterrence.
- 2.3. That penalties imposed upon those offending the prohibited substance rules should reflect the industry's disapproval of drugs being detected in racing greyhounds.
- 2.4. The public perception and confidence in the betting product being adversely affected by prohibited substances being detected in racing animals.

## 3. Respondents Penalty Submissions

- 3.1. When addressing the Panel on penalty Mr Sutcliffe indicated that he had been involved and licensed in the greyhound industry for over 10 years and held an exemplary record over that time however he did have one historical offence under this rule in 2020.

He also contested the following matters and offered submissions on penalty as follows:

- a. There was no analytical report on the control sample.
- b. The sample was contaminated in the collection process.
- c. No products containing caffeine were found at the kennel inspection.
- d. Buzz The Hustler was handled by other catchers in the pen after the race.
- e. Both the "A" and "B" portion of the sample took over a month respectively to be analyzed.

- f. He had not had a positive to caffeine before.
- g. He had cooperated with the Stewards and given forthright and honest evidence.
- h. His length of time involved in the industry.
- i. His personal circumstances.
- j. The work he does for other industry members.

The stewards considered the submissions contesting the finding however could find no evidence supporting Mr Sutcliffe's assertion that any of these would result in him being deemed not culpable of the charge.

#### 4. Penalty

- 4.1. In determining the penalty in this matter, the stewards are mindful of penalties imposed for similar breaches both in Tasmania and Interstate.
- 4.2. We find that this matter is best dealt with by way of suspension. This is to reflect the seriousness of the offence and the need to discourage others from similar offending.
- 4.3. Mr Sutcliffe's previous record concerning prohibited substance offending, namely 1 historical offence in 10 years.
- 4.4. The need for both specific and general deterrence.

#### 5. Disqualification Of Greyhound

- 5.1. Pursuant to GAR 141(4) Buzz The Hustler is disqualified from Race 6, the Hobart Greyhound Racing Club on Monday 12th August 2024.

#### 6. Decision: Mr Sutcliffe was advised of his right to appeal.

**Date:** 21<sup>st</sup> March 2025.