

**RACING APPEALS TRIBUNAL**

**QUEENSLAND**

**NOTICE OF DECISION**

APPEAL NUMBER: RG004-08  
DATE: 18 November 2008  
APPELLANT: **DAVID THOMAS ROBERTSON**  
RESPONDENT: Greyhound Racing Authority  
BREACH OF RULE: Rule 83(2)(a)(d) – prohibited substance - Hydroxystanazolol  
APPEARANCES: Mr J E Murdoch SC appeared on behalf of the Appellant.  
Mr Danny Ryan appeared on behalf of the Respondent.

**REASONS FOR TRIBUNAL'S DECISION**

Mr Leo Williams AO – Chairman  
Mr Brockwell Miller – Deputy Chairman

This is an appeal against the severity of the sentence imposed by the GRA Stewards.

The appellant was the trainer of a dog which returned a swab positive to a prohibited substance Hydroxystanazolol at a time when it was starting in a meeting at Ipswich on 20 August 2008.

The substance is a metabolite of a powerful anabolic steroid which is a Schedule 4 Prescription Only substance.

The evidence given to the Stewards about the substance came from a report from Highfields Veterinary Service signed by a Dr L Jocumsen. He confirmed that he had administered Stanzolol on 15 May for therapeutic reasons. At the time anabolic steroids were not on the prohibited list of substances but were subsequently included effective 1 July.

The appellant therefore finds himself in the unfortunate position of having his dog properly treated by a veterinary surgeon who administered a substance which remained in the dog's system and ultimately put him in breach of the presentation rule.

The Stewards confronted with the situation had no option but to convict the licensee and impose a penalty. They suspended Robertson for 3 months and fined him \$2,000.

The Tribunal has considered all the facts and takes the view that the penalty was excessive.

Robertson has an excellent record and insofar as he was concerned relied on his veterinary advice. The drug remained in the dog's system well beyond the advised withholding period as sometimes happens. The Tribunal believes that in the specific circumstances of this case the appellant should be suspended for 6 weeks and fined \$250.

The deposit is forfeit.

**Leo Williams AO**  
Chairman

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**Brockwell Miller**  
Deputy Chairman

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