

4 October 2022

**NOTICE OF
INTEGRITY HEARINGS PANEL
DECISION**

Ms Kiah Hurley

PANEL: Mr Timothy McGrath (Chair), Ms Tanya Johnston, Mr Graham Loch
STEWARDS: Mr Des Jonas, Chief Steward, Mr Derek Kordick, Risk & Compliance Manager

On 15th March 2022, Ms Kiah Hurley appeared before the Integrity Hearings Panel (IHP) in relation to a charge laid by Stewards -

Charge:

That on the 25th day of February 2021, at Angle Park in South Australia, Kiah Hurley, being the trainer of the greyhound SELL MORE HOUSES that was nominated to compete in an Event namely Race 10, XP3020 MIXED STAKE CTA Division 2, presented that greyhound not free of a prohibited substance namely CARPROFEN.

- R83(2)(a), (3) and (10), *Greyhounds Australasia Rules*

Particulars

1. Ms Hurley was, at all relevant times, registered by Greyhound Racing SA (ID 261657) as an approved Tier 2 Trainer and a person bound by the Rules of Greyhound Racing for Greyhound Racing SA Limited.
2. Ms Hurley was at all relevant times the trainer of the registered greyhound SELL MORE HOUSES (ID 508737).
3. SELL MORE HOUSES was nominated to compete in Race 10, XP3020 MIXED STAKE CTA Division 2, conducted by the Adelaide Greyhound Racing Club at Angle Park on Thursday, 25 February 2021 (the **Event**).
4. On 25 February 2021, Ms Hurley presented SELL MORE HOUSES at the Event not free of any prohibited substance, given that:
 - (a) A post-race sample of blood was taken from SELL MORE HOUSES at the Event (the Sample); and,
 - (b) CARPROFEN was detected and confirmed in the Sample.

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5. The Certification of Prohibited Substance confirms that CARPROFEN is a prohibited substance.
6. At a kennel inspection on 30 April 2021, animal welfare officers confirmed the presence of the medication CARPROFEN, legally prescribed by veterinarian Dr Katakasi, for the greyhound SELL MORE HOUSES (also known as Patty).
7. During an interview with Stewards on 7th February 2022, Ms Hurley confirmed that SELL MORE HOUSES was taking CARPROFEN during the relevant period, but Ms Hurley believed that she stopped the treatment within the recommended time of 48-hours before racing. Ms Hurley has since increased the withholding period to at least 72-hours.

Facts

8. As to the facts surrounding the charges, Ms Hurley provided the following explanation –
9. Ms Hurley produced a letter from the Adelaide Plains Veterinary clinic, dated 13th February 2022, that confirmed that SELL MORE HOUSES was treated by that clinic for a muscular condition, upon examination on 12th February 2021, and prescribed Carprofen, the said treatment being ongoing.
10. Ms Hurley accepted that she administered the CARPROFEN to SELL MORE HOUSES, but on reflection the administration was too close to the nominated race. Ms Hurley doubted the suggestion by the panel there was some cross contamination arising from the administration of CARPROFEN to other greyhounds in Ms Hurley's kennels, at the time.

Antecedents

11. Mr Hurley accepted that on 22nd June 2020, she appeared before the panel in relation to a similar charge, although factually dissimilar in that the prohibited substance was ingested PROCAINE, arising from a post-race urine sample taken from WITCHIE'S GAS on 3rd November 2019, after a race at the Angle Park Greyhound Racing Club. The sample revealed the presence of PROCAINE. After pleading guilty, the panel determined penalty to be, inter alia, 6-weeks suspension that was fully suspended for 12-months. The end date of that suspension was 22nd June 2021. The herein alleged offence, therefore, breaches that suspension but rules 99 and 100 of the Greyhounds Australasia Rules, do not apply to this breach. However, the circumstances of the breach may be considered on subsequent penalty, pursuant to L79A of the Local Rules 2022.
12. Ms Hurley has a young family and has, in the months leading up to the breach, coped with a number of family challenges. She has been a greyhound trainer for a number of years.

Discussion

13. As noted in previous Inquiries, the IHP is mindful of the underlying importance of presenting greyhounds free of prohibited substances. Presentation offences have been rightly condemned through past decisions of the Stewards; a stance that has been supported by the Racing Appeals Tribunal on many occasions. Such offences invariably result in suspensions or disqualifications. Matters will invariably differ in their surrounding circumstances and each matter turns on its own facts.
14. Ms Hurley pleaded guilty to the charge and Stewards accepted that it was an early plea. Ms Hurley cooperated with the Inquiry.

Penalty

15. In all the circumstances, the IHP have resolved to decide this matter as follows -

16. This breach occurred within the period of the fully suspended penalty of 6-weeks, ordered on 22nd June 2020. This is the starting point. The panel is not entirely satisfied with the explanation that the CARPROFEN was given outside the 48-hour withholding period and, to that end, consider a suspension of 3-months is in range for this breach, reduced to 2 months and 14-days to take into account the guilty plea.
17. Considering Ms Hurley's personal and family circumstances in 2021, the panel took this into account when considering the totality of the activated, suspended penalty with the new penalty.
18. Ms Hurley will be suspended for a period for 2-months and 14-days for this breach, and that penalty will be concurrent with the activated, suspended penalty of 6-weeks. This, then, is a total of 6-weeks suspension.
19. The suspension will be ordered to commence on 15th March 2022.
20. Pursuant to R83(4) of the Greyhounds Australasia Rules, SELL MORE HOUSES is disqualified from the Event that was Race 10, XP3020 MIXED STAKE CTA Division 2, conducted by the Adelaide Greyhound Racing Club at Angle Park on 25 February 2021, where SELL MORE HOUSES placed first.
21. Stewards will direct that the placings in that Event be amended accordingly and that the \$2,295.00 prizemoney won in that event must be returned.
22. Ms Hurley was advised of her right of appeal.



Timothy McGrath
GRSA INTEGRITY HEARINGS PANEL CHAIR