

14 August 2022

**NOTICE OF  
INTEGRITY HEARINGS PANEL  
DECISION**

**Ms Kathleen Johnstone**

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

On 25<sup>th</sup> July 2022, Ms Kathleen Johnstone appeared before the Integrity Hearings Panel (IHP) in relation to the following charge laid by Stewards -

Charge 1:

That on 8<sup>th</sup> October 2021, at Angle Park in South Australia, Ms Kathleen Johnstone, being the trainer of the greyhound SANDAVE VISION that was nominated to compete in an Event, namely Race 9, TAB PLAY CENTRAL STAKE (530m Grade 6), presented that greyhound not free of prohibited substances, namely MORPHINE AND CODEINE.

- R83(2)(a) & (3), *Greyhounds Australasia Rules (pre-1 May 2022)*

**Particulars**

The following particulars were alleged by Stewards -

1. Ms Johnstone was, at all relevant times, registered by Greyhound Racing SA as a trainer and a person bound by the Rules of Greyhound Racing for Greyhound Racing SA Limited, and the trainer of the registered greyhound SANDAVE VISION.
2. SANDAVE VISION was nominated to compete in Race 9, TAB PLAY CENTRAL STAKE (530m Grade 6), conducted by the Adelaide Greyhound Racing Club at Angle Park on Friday 8<sup>th</sup> October 2021 (**the Event**).
3. On 8<sup>th</sup> October 2021, Ms Johnstone presented SANDAVE VISION at **the Event** not free of any prohibited substance, given that:
  - (a) A post-race sample of urine was taken from SANDAVE VISION at **the Event (the Sample)**;
  - (b) CODEINE AND MORPHINE were detected and confirmed in **the Sample**.
4. Evidence by Dr Greg Moore in the *Certification of Prohibited Substance* confirms that CODEINE AND MORPHINE are prohibited substances.

**Address** 55 Cardigan Street  
Angle Park SA 5010  
**Postal** PO Box 2352  
Regency Park SA 5942  
**Phone** 08 8243 7100

**Email** admin@grsa.com.au  
**Website** greyhoundracingsa.com.au  
**ABN** 39 094 569 525

## **Facts**

As to the facts surrounding the charge, Ms Johnstone provided an explanation that for a significant period preceding this matter, she has sourced bread from local bakeries to feed to her dogs. Ms Johnstone firmly believes that some of the bread that was sourced, contained seeds that precipitated the substances that were identified post-race on 8<sup>th</sup> October 2021. The Stewards accepted that explanation. Further, the Stewards accepted that Ms Johnstone did not intentionally provide the adulterated bread to SANDAVE VISION.

Ms Johnstone outlined steps that she has taken to ensure a matter such as this is repeated.

## **Antecedents**

Ms Johnstone is a well-known and highly respected participant within South Australian greyhound racing. It is clear that Ms Johnstone has made a significant contribution to the sport over a period of some 50 years.

It is regrettable that the only other disciplinary matter Ms Johnstone was the subject of, although factually entirely dissimilar, related to a presentation allegation (see IHP decision of 17<sup>th</sup> October 2019). That matter resulted in the imposition of a fine, and a suspension being imposed (3 months of which were suspended) for a period of 24 months. That outcome was appealed by Ms Johnstone, and although partially successful in her appeal to the RAT, the suspension was upheld and was to commence from 18<sup>th</sup> December 2019 (it is noted that Ms Johnstone has now provided further information as to the source of the prohibited substance identified in relation to this matter – information that was not readily available to her at the time this matter was adjudicated – the IHP are of the view that the penalty outcome would not have been affected were such information available at the time).

## **Discussion**

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.

It is noted in the "Antecedents" above that Ms Johnstone, although having a commendable record of participation in greyhound racing for a significant period of time, she has a matter of direct relevance for which, on any calculation of dates, a suspended penalty has been breached. As such, Ms Johnstone stands to have the outstanding suspension of 3 months brought into effect.

To her credit, Ms Johnstone has once again been co-operative, polite, and candid in her dealings with the Stewards and the IHP throughout the determination of this current matter. Further, she has assisted in the efficient adjudication of the matter through her entering of a plea of guilty to the matter at the earliest possible opportunity. Finally, it is accepted by the Stewards that this matter resulted from the inadvertent provision of bread.

## **Penalty**

In all the circumstances, the IHP have resolved to decide this matter as follows:

Ms Johnstone will be suspended for a period of 4 months. Considering Ms Johnston's early guilty plea, that suspension will be reduced to a period of 3 months.

In relation to the 3 months suspension that remains outstanding from the IHP decision of 17<sup>th</sup> October 2019, that suspension is revoked.

Given the circumstances of this offence, the need to communicate a firm and consistent message to the sport, and all matters personal to Ms Johnston, the IHP have resolved to finalise this matter in the most merciful manner available to it by ordering that the 3 month penalty for this offence, run concurrently with the revoked 3 month suspension imposed in October 2019.

A fine of \$1,000.00 reduced to \$700.00 considering Ms Johnstone's early guilty plea will be imposed.

The suspension will be ordered to commence on 3<sup>rd</sup> August 2022.

Pursuant to rule 83(4) of the *Greyhounds Australasia Rules* SANDAVE VISION is disqualified from the event that was Race 9, TAB PLAY CENTRAL STAKE (530m Grade 6), where SANDAVE VISION placed first.

Stewards direct that the placings in that event be amended accordingly and that the **\$2,285.00** prizemoney won in that event must be returned to Greyhound Racing SA forthwith.

Ms Johnstone was advised of her right of appeal.

T: m

Timothy McGrath

GRSA INTEGRITY HEARINGS PANEL CHAIR

Appealed to RAT