

## DECISION IN RELATION TO PENALTY

*Presentation of a greyhound other than free of any prohibited substance in breach of rule 83(2) of the GRNSW Greyhound Racing Rules*

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<b>INQUIRY NUMBER:</b>	<b>16S094</b>
<b>PERSON:</b>	Ms Sonia Kempshall ( <b>Participant</b> )
<b>REGISTRATION:</b>	Trainer (218040)
<b>PANEL MEMBER(S):</b>	Mr Grant Carroll ( <b>Steward</b> )
<b>DATE OF DECISION:</b>	8 February 2017

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### CHARGE

1. On 13 January 2017 Greyhound Racing New South Wales (**GRNSW**) charged Ms Sonia Kempshall (**Participant**) under rule 83(2) as follows:

That you, Sonia Kempshall, a registered trainer, while in charge of the greyhound 'Palazzo' (**Greyhound**), presented the Greyhound for the purpose of competing in Race eight at Casino on 12 August 2016 (**Event**) in circumstances where the Greyhound was not free of any prohibited substance (**Charge 1**).

That you, Sonia Kempshall, a registered trainer, while in charge of the greyhound 'Price Rise' (**Greyhound**), presented the Greyhound for the purpose of competing in Race seven at Casino on 4 October 2016 (**Event**) in circumstances where the Greyhound was not free of any prohibited substance (**Charge 2**).

That you, Sonia Kempshall, a registered trainer, while in charge of the greyhound 'Slender Jappa' (**Greyhound**), presented the Greyhound for the purpose of competing in Race five at Casino on 14 October 2016 (**Event**) in circumstances where the Greyhound was not free of any prohibited substance (**Charge 3**).

Together the **Charges**.

2. The prohibited substance was arsenic. This is identified as a category 5 prohibited substance under the GRNSW Penalty System (**Penalty System**).

### GUILTY PLEA

3. The Participant, by letter dated 18 January 2017, entered an early guilty plea to the Charges.

### PENALTY

4. The starting point for the determination of penalty for a category 5 substance under the Penalty System is 12 weeks disqualification.
5. In accordance with the Penalty System, the Steward considered that there were no aggravating factors present.

6. In accordance with the Penalty System, the Steward considered that the following mitigating factors were present:
  - (a) The Participant's early guilty plea.
  - (b) The low level of the prohibited substance present in the samples in relation to Charges 2 and 3.
7. The Steward determined that the penalties for the Charges were to be concurrent due to the notifications and confirmations of the presence of the prohibited substance occurring after the samples were taken.
8. Having regard to all the factors, the Steward determined to impose a fine of \$750.
9. The Steward also determined that the greyhounds were disqualified from the relevant events with the places amended accordingly pursuant to Rule 83(4).



**Grant Carroll**  
**Steward**  
**Greyhound Racing New South Wales**



**Internal review by:**  
**Tammy Cootes**  
**Manager Integrity and Inquiries**