

CONTROL APPEAL COMMITTEE PUBLICATION

OWNER	Mr. Noel Melia
ADDRESS	Ballintine, Kilmeague, Naas, Co. Kildare
MATTER	<p>Appeal brought on behalf of Rásaíocht Con Éireann against a decision of the Control Committee which was made on 8th of October 2021.</p> <p><u>Control Committee Decision:</u></p> <ul style="list-style-type: none"> - Fine of €1500 imposed on Mr. Melia - Direction that samples be obtained from greyhounds under Mr. Melia's care when presented for racing at Rásaíocht Con Éireann licensed stadia for a period of six months <p>The essence of the Appeal was that Rásaíocht Con Éireann felt that the sanction imposed on Mr. Melia in the circumstances was too lenient</p>
FINDINGS	<p>The Control Appeal Committee, having considered all of the matters raised before it and the submissions and arguments made before the Control Appeal Committee, found as follows:</p> <ul style="list-style-type: none"> - The Control Appeal Committee were satisfied that in this case there was a deliberate and premeditated administration of a performance affecting substance to the greyhound Balltadhg Peg on the day in question <p>In those circumstances, the Control Appeal Committee decided to impose the following sanctions:</p> <ul style="list-style-type: none"> - A fine of €1500 - An Exclusion Order against Mr. Noel Melia for a period of six months from 17th day of December 2021 pursuant to Section 47 of the Greyhound Industry Act, 1958 to end on 16th day of June 2022 - Direct that greyhounds under the care of Mr. Melia be sampled, when presented for racing at Rásaíocht Con Éireann licenced stadia for a period of six months commencing 17th day of June 2022 - Make no Order in relation to costs <p>Pursuant to the Greyhound Industry (Control Committee and Control Appeal Committee) (Amendment) Regulations 2015 this decision will be published</p>

OWNER	Mr. Martin Moriarty
ADDRESS	Boherboy, Gortatlea, Tralee, Co. Kerry
MATTER	<p>Appeal of Control Committee decision dated 6th May 2022:</p> <p><u>Control Committee Decision:</u></p> <ul style="list-style-type: none"> - Fine of €1500 imposed on Mr. Moriarty in respect of an Adverse Analytical Finding (Amphetamine) return from urine sample obtained from the greyhound Boher Recruit at Tralee Greyhound Stadium on the 22nd January 2021 - Direction that samples be obtained from greyhounds under Mr. Moriarty's care when presented for racing at Rásaíocht Con Éireann licensed stadia for a period of six months
FINDINGS	<p>The Control Appeal Committee discussed all of the issues in detail following the Oral Hearing.</p> <p>The onus was on the Appellant to satisfy the Control Appeal Committee that he was entitled to succeed with his Appeal.</p>

The Control Appeal Committee, having considered all of the matters raised before it and the submissions and arguments made before the Control Appeal Committee, found as follows:

- The Control Appeal Committee were not satisfied that the Appellant had discharged the burden of proof which was upon him.

In those circumstances, the Control Appeal Committee decided to dismiss the Appeal before it and affirmed the Decision of the Control Committee dated 6th May 2022, this Decision being:

- A fine of €1500
- Direction that samples be obtained from greyhounds under Mr. Moriarty care when presented for racing at Rásaíocht Con Éireann licenced stadia for a period of six months.

Pursuant to the Greyhound Industry (Control Committee and Control Appeal Committee) (Amendment) Regulations 2015 this decision will be published

September 2022