

STEWARDS INQUIRY DECISION

Date of Decision: 12 August 2020

Stewards Panel: G Griffin (Chairman), D Tyson & T North

Name: David Crosswell

Rule no: GAR 84(2)

Charge(s): Possession of prohibited substance which had not been labelled in compliance with relevant State or Commonwealth legislation

Inquiry Decision: Fine of \$500 (\$250 suspended in full for twelve months pursuant to GAR 95 (3) provided that Mr. Crosswell does not offend under related rules)

FACTS:

Stewards conducted a routine kennel inspection on 09 June 2020. Upon inspection of Mr. Crosswell's veterinary medications, Stewards took possession of an unlabelled bottle for the purposes of having it analysed to determine its contents.

Stewards subsequently received advice from Racing Analytical Services Ltd (RASL) advising that the unlabelled bottle contained *Lignocaine*.

INQUIRY:

Office of Racing Integrity Stewards concluded an inquiry into the contents of an unlabelled bottle seized from the licensed kennel premises of trainer Mr. David Crosswell.

Stewards considered evidence tended by Office of Racing Integrity Regulatory Veterinarian, Dr. Adam Richardson, RASL Scientific Manager Paul Zahra and from Mr. Crosswell.

It was determined throughout the inquiry that *Lignocaine* is a schedule 4 drug and as such is required to be labelled in accordance with the *Standard for the Uniform Scheduling of Medicines and Poisons (Cth)*.

Mr. Crosswell was subsequently found guilty of a charge pursuant to GAR 84 (2) which states:

(2) A registered person who has in their possession at any place used in relation to the training or racing of a greyhound, any quantity of a prohibited substance commits an offence unless that substance has been registered or labelled, or prescribed, dispensed or obtained, in compliance with the relevant State or Commonwealth legislation. The Stewards may take possession of any of these substances or preparations to test and or destroy.

The particulars being that, Mr Crosswell, as a licensed trainer, did have at his kennel premises on the 9th of June 2020, a bottle which was not labelled in accordance with the relevant Commonwealth legislation.

DECISION:

In determining penalty, stewards considered the following:

- Personal circumstances
- Extensive involvement in the greyhound racing industry
- His record with no previous offences under this rule
- Penalty precedent

Mr. Crosswell was subsequently fined \$500 with \$250 wholly suspended for a period of twelve months provided that Mr. Crosswell does not offend under this rule.