

STEWARDS DECISION

OFFICE OF RACING INTEGRITY

and

ANTHONY BULLOCK

Date of hearing: 16th February 2022

Stewards Panel: Ross Neal (Chair); and Roger Brown

Present: Mr Anthony Bullock (Respondent)

Rule: Greyhound Australasia Rules (GAR 84A (4) (b))

Rule 84A (4) (b) `it shall be an offence for any person other than a Veterinary Surgeon to possess, prescribe, administer, or allow to be administered to any greyhound, any Schedule 4 or Schedule 8 substance listed in the Standard for the Uniform Scheduling of Medicines and Poisons contained in the Australian Poisons Standard, as amended from time to time`.

Charge: **THAT YOU**, Anthony Bullock, on or about 23rd and 24th of November 2021 committed a breach of GAR 84A (4) (b) by administering, or allowed to be administered, the Schedule 4 prescription medication ONSIOR, listed in the Standard for Uniform Scheduling of Medicines and Poisons, contained in the Australian Poisons Standard, to the registered greyhound TAH BERNARD when this

medication was not prescribed for TAH BERNARD by a registered veterinarian.

Plea: Admitted

Background

1. Mr Bullock is a licensed greyhound trainer under the Greyhound Australasia Rules.
2. In the late afternoon of Tuesday 23rd November 2021, Mr Bullock transported TAH BERNARD to Mowbray Racecourse for the purpose of competing at trials at the venue.
3. During his trial TAH BERANRD broke down, fracturing his right front foreleg.
4. Mr Bullock immediately took TAH BERNARD to a local Veterinary Clinic which is located adjacent to the LGRC
5. Mr Bullock arrived at the veterinary clinic at 6:22pm and sought veterinary intervention for TAH BERNARD at the clinic's reception, however, was advised that the on-duty veterinary was currently busy and that he would have to wait to be attended to.
6. While Mr Bullock was waiting to be attended to, he was confronted by another client of the clinic seeking to intervene with respect to the potential treatments and outcomes for TAH BERNARD.
7. This person remonstrations resulted in Mr Bullock leaving the veterinary clinic at 6:39pm without TAH BERNARD having been examined by a veterinarian.
8. Mr Bullock then attempted to contact other veterinarians, seeking to have TAH BERNARD examined and attended to.
9. Mr Bullock then telephoned Office of Racing Integrity Greyhound Chair of Stewards Mr Michael Hoyle to apprise him of matters.

10. Mr Hoyle instructed Mr Bullock to ensure that TAH BERNARD received pain relief and to confirm when this had occurred.
11. At approximately 8.00pm Mr Bullock gave TAH BERNARD two tablets of ONSIOR 40mg. and confirmed this in a text message to Mr Hoyle.
12. At 9.15pm a veterinary surgeon phoned Mr Bullock where arrangements were made to have TAH BERNARD euthanised the following morning.
13. At 10.00am Wednesday 24th November a veterinary surgeon attended Mr. Bullock's property and euthanised TAH BERNARD.

Penalty Discussion.

14. The circumstances surrounding the demise of TAH BERNARD are unfortunate, however trainers and those caring for greyhounds need to comply with the rules in all regards.
15. When medicating TAH BERNARD with the prescription drug ONSIOR, Mr Bullock was unaware of the drugs potency, and any other complication which may have arisen from him administering a substance he knew little about. Other than he had used the drug some time previously on an Alsatian that he owns.
16. Rule 84A (4) (b) exists to ensure that those medications which are prescription only are administered by those properly authorised to do so. This being veterinarians. To do otherwise not only puts an animal at risk, through either administering a substance not applicable to the circumstance, but also it creates a situation of real risk where the animal can be either over or under dosed.
17. In consequence it is unacceptable for trainers and, those in charge of animals to second guess medicating animals with prescription only medications without proper instruction.
18. In respect to this matter Mr Bullock has admitted the charge and as such we must consider the matter of penalty, should we find the need to impose one.

Respondents Penalty Submissions

19. Mr Bullock submits that a monetary penalty would be appropriate in this circumstance.

Reasons for Penalty

20. When establishing the mode of penalty to be employed in this case the Stewards have sought guidance from previous decisions in Tasmania and other jurisdictions, however precedent has been difficult to locate.
21. Nonetheless we are guided to some degree by the recent Victorian case (Jan-21) of *Nicholson* which involved several breaches of the harness racing rules, but one of the charges related to the respondent having in his possession an unregistered veterinary substance. The penalty imposed for this admitted breach was \$750.00
22. While the *Nicholson* matter involved possession and not administration of a non-permitted substance, the determination was that a monetary penalty was sufficient in attending to the matter.
23. Resultantly, the Stewards believe that this matter should be best dealt with by way of a monetary penalty and to this end we have adopted a starting point of \$2,000.00. This starting point recognising the accepted principals of sentencing, including the requirement both for specific and general deterrence.
24. We do not believe there are any factors in aggravation that would compel an uplift from the starting point.
25. However, we do recognise the following with respect to mitigating factors in favour of Mr Bullock. These being: -
 - a. Mr Bullocks duration in the industry (some 40 years)
 - b. That he has had more than 20,000 starters in races over the past 15 years (records prior are incomplete)
 - c. Him having not previously breached this, or any similar rule.
 - d. His early acknowledgement of his error.
 - e. His co-operation throughout the currency of this investigation.

Outcome

26. Having regards to all circumstances the Stewards believe that a fine of \$1,500 will satisfy the accepted principles of sentencing. This being to hold Mr Bullock accountable, to encourage in him a sense of responsibility for his actions, and to deter him and others from committing the same or similar offences.

Mr Bullock is fined the sum of \$1,500 with \$750.00 suspended for 12 months subject to him not breaching this or a similar rule.

Conclusion

Mr Bullock is fined the sum of \$1,500.00 with 50% of this penalty suspended for 12 months pending him not reoffending this, or similar rules.

Decision Date: 20th April 2022