

**GREYHOUND WELFARE & INTEGRITY COMMISSION**  
**DISCIPLINARY ACTION DECISION**

<b>Date of decision:</b>	26 May 2020
<b>Decision-maker:</b>	Director Legal Services, Matthew Tutt
<b>Name of relevant person:</b>	Mr Scott Board
<b>Track:</b>	N/A – Non meeting
<b>Date:</b>	22 May 2019
<b>Rule no.:</b>	Rule 84(2) x 7; Rule 86(ae)(ii)
<b>Charge(s):</b>	(1) Mr Board had in his possession at his registered kennels on 22 May 2019 a prohibited substance, namely “Promote”; (2) Mr Board had in his possession at his registered kennels on 22 May 2019 a prohibited substance, namely “Advance Muscle Repair”; (3) Mr Board had in his possession at his registered kennels on 22 May 2019 a prohibited substance, namely “Merolin”; (4) Mr Board had in his possession at his registered kennels on 22 May 2019 a prohibited substance, namely “Ethanolamine Oleate”; (5) Mr Board had in his possession at his registered kennels on 22 May 2019 a prohibited substance, namely “Clavulox”; (6) Mr Board had in his possession at his registered kennels on 22 May 2019 a prohibited substance, namely “Amoxyclav”; (7) Mr Board had in his possession at his registered kennels on 22 May 2019 a prohibited substance, namely “Xylocaine”; (8) Mr Board had in his possession at his registered kennels on 22 May 2019 2 shock collars.
<b>Prohibited substance(s):</b>	Promote; Advance Muscle Repair; Merolin; Ethanolamine Oleate; Clavulox; Amoxyclav; Xylocaine
<b>Disciplinary action taken:</b>	Charge 1: \$200 fine (wholly and conditionally suspended) Charge 2: \$200 fine (wholly and conditionally suspended) Charge 3: \$200 fine (wholly and conditionally suspended) Charge 4: \$200 fine (wholly and conditionally suspended)

- Charge 5: Formal warning / reprimand  
Charge 6: Formal warning / reprimand  
Charge 7: Formal warning / reprimand  
Charge 8: \$600 fine (wholly and conditionally suspended)

**REPORT:**

During an inspection of the kennels registered to Mr Board, Commission Inspectors located seven (7) prohibited substances and two (2) shock collars. These items were surrendered to the Inspectors.

After considering the evidence the Commission charged Mr Board with breaches of Rules 84(2) and 86(ae)(ii) of the Rules in relation to the items found.

The disciplinary action was conducted in writing.

**DECISION:**

1. Mr Board is, and was at the material time being on 22 May 2019, a registered greyhound trainer and breeder.
2. On 22 May 2019, Commission Inspectors attended the registered kennel address of Mr Board to conduct an inspection.
3. During that inspection, the Inspectors discovered and had surrendered to them:
  - A brown glass bottle of “Promote”;
  - A brown glass bottle of “Advance Muscle Repair”;
  - A brown glass bottle of “Merolin”;
  - A brown glass bottle of “Ethanolamine Oleate”;
  - A blister packet with 18 tablets of “Clavulox”;
  - A blister packet with one (1) tablet of “Amoxyclav”;
  - Eight x 2mL ampules of “Xylocaine 1% lignocaine injection 20mg in 2ml”;
  - Two (2) electric shock collars not on the body of any greyhound or other animal.
4. Promote, Advance Muscle Repair, Merolin and Ethanolamine Oleate are not registered with the Australian Pesticides and Veterinary Medicines Authority and it is an offence to possess these substances under Rule 84(2).
5. The active ingredient of Clavulox and Amoxyclav is amoxicillin clavulanic acid, a Schedule 4 Prescription Animal Remedy and there was no evidence that these substances had been prescribed by a registered practitioner, or had any labelling of any such prescription on the packaging.

6. The active ingredient of Xylocaine is lignocaine, a Schedule 4 Prescription Only Medicine and there was no evidence that these substances had been prescribed by a registered practitioner, or had any labelling of any such prescription on the packaging.
7. The Commission charged Mr Board under Rule 84(2) for possession of the prohibited substances and under Rule 86(ae)(ii) for possession of the shock collars, which read:

**Rule 84**

- (1) For the purpose of this Rule “possession” means any form of personal physical possession, or the on site control / storage, of a prohibited substance.
- (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.

**Rule 86**

...

- (ae)(ii) have in his possession any gear, equipment, device, substance or any other thing capable of inflicting undue suffering on a greyhound.

8. Mr Board was notified of the charges in writing and provided a reasonable opportunity to reply. As no evidence was provided, the disciplinary proceeding was conducted in writing on the evidence before the Commission.
9. The Commission found the charges proven and took the following disciplinary action against Mr Board:

Charge 1 (Rule 84(2)): To impose a fine in the sum of \$200 wholly suspended for 12 months on the condition that Mr Board does not breach Rule 84(2) of the GWIC Greyhound Racing Rules in that period;

Charge 2 (Rule 84(2)): To impose a fine in the sum of \$200 wholly suspended for 12 months on the condition that Mr Board does not breach Rule 84(2) of the GWIC Greyhound Racing Rules in that period;

Charge 3 (Rule 84(2)): To impose a fine in the sum of \$200 wholly suspended for 12 months on the condition that Mr Board does not breach Rule 84(2) of the GWIC Greyhound Racing Rules in that period;

- Charge 4 (Rule 84(2)): To impose a fine in the sum of \$200 wholly suspended for 12 months on the condition that Mr Board does not breach Rule 84(2) of the GWIC Greyhound Racing Rules in that period;
- Charge 5 (Rule 84(2)): To issue a formal warning / reprimand;
- Charge 6 (Rule 84(2)): To issue a formal warning / reprimand;
- Charge 7 (Rule 84(2)): To issue a formal warning / reprimand;
- Charge 8 (Rule 86(ae)(ii)): To impose a fine in the sum of \$600 wholly suspended for 12 months on the condition that Mr Board does not breach Rule 86(ae) of the GWIC Greyhound Racing Rules or section 16(2)(c) of the *Prevention of Cruelty to Animals Act 1979* (NSW) in that period.

10. In taking this disciplinary action, the Commission considered all evidence, including:

- Mr Board has been a registered trainer within the greyhound industry for approximately 27 years;
- Mr Board has no matters in his disciplinary history;
- NSW greyhound racing precedents.

.....End.....