

1 November 2023

DECISION

GREYHOUND RACING VICTORIA

and

DANIEL CARSWELL

- Date of hearing:** 27 October 2023
- Panel:** Justice Shane Marshall (Deputy Chairperson) and Dr Andrew Gould.
- Appearances:** Mr Steven Brnovic appeared on behalf of the Stewards.
Mr Daniel Carswell represented himself.
- Charge:** Greyhounds Australasia Rule (“GAR”) 141(1) states:
(1) The owner, trainer or other person in charge of a greyhound:
(a) nominated to compete in an Event;
(b) presented for a satisfactory trial or such other trial as provided for by the Rules; or
(c) presented for any test or examination for the purpose of a stand-down period being varied or revoked,
must present the greyhound free of any prohibited substance.
- Particulars:** **Charge 1**
1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhounds Australasia Rules.
 2. You were, at all relevant times, the trainer of the greyhound “Typhoon Missile”.
 3. Typhoon Missile was nominated to compete in Race 11, PETER BROWN CUSTOM HOMES, Grade 7, conducted by the Bendigo Greyhound Racing Association at Bendigo on 23 November 2022 (the Event).

4. On 23 November 2022, you presented Typhoon Missile at the Event not free of any prohibited substance, given that:
 - (a) A pre-race sample of urine was taken from Typhoon Missile at the Event (the Sample);
 - (b) Procaine was detected in the Sample.

Charge 2

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhounds Australasia Rules.
2. You were, at all relevant times, the trainer of the greyhound "Call Me Thor".
3. Call Me Thor was nominated to compete in Race 8, SPORTSBET GO THE BLUE DOG, Grade 6, conducted by the Bendigo Greyhound Racing Association at Bendigo on 23 November 2022 (the Event).
4. On 23 November 2022, you presented Call Me Thor at the Event not free of any prohibited substance, given that:
 - (a) A pre-race sample of urine was taken from Call Me Thor at the Event (the Sample);
 - (b) Procaine was detected in the Sample.

Pleas: Guilty

DECISION

1. Mr Daniel Carswell is a registered greyhound trainer of longstanding. At all material times he was the trainer of "Typhoon Missile" and "Call Me Thor".
2. On 23 November 2022 at Bendigo, Typhoon Missile competed in Race 11 and Call Me Thor competed in Race 8. Both greyhounds were swabbed prior to their races. Each swab disclosed a positive indication to the presence of procaine.

3. Procaine is a prohibited substance under the Rules of greyhound racing. It is found in knackery meat (not fit for human consumption meat). It is used in the treatment of sick cattle and horses. It can induce an artificially pain free state in a greyhound.
4. Since 2016, Greyhound Racing Victoria (“GRV”) has been warning trainers about the dangers of feeding greyhounds not fit for human consumption meat, especially in the days leading up to a race. These warnings are still being unheeded by some trainers, especially hobby trainers, who continue to “roll the dice” and use knackery meat instead of the more expensive fit for human consumption meat. However, Stewards concede that the breach in this case was inadvertent.
5. This Tribunal has warned trainers that mere financial penalties may no longer be appropriate and that appropriate suspensions should start to be applied to relevant transgressions. We consider that the time is soon approaching to give effect to those warnings in appropriate cases where there is no excuse for using knackery meat.
6. Stewards of GRV have charged Mr Carswell with offending against Greyhounds Australasia Rule (“GAR”) 141(1) for presenting the two greyhounds for events while not free of a prohibited substance. He has pleaded guilty to both offences.
7. In setting a penalty, we take into account the guilty pleas, and a good relevant record over a long time in the industry. We also take into account general and specific deterrence and denunciation of the conduct, as well as the importance of maintaining a level playing field by having a drug free industry. We also take into account penalties given in recent like cases.
8. On Charge 1, we impose a penalty of a fine of \$2,000 with \$1,000 suspended for 24 months pending no further similar offences during that time. On Charge 2, we impose the same penalty, but make it wholly concurrent with the penalty under Charge 1, given the closeness in time of the two aspects of offending.
9. Typhoon Missile is disqualified from Race 11 and Call Me Thor is disqualified from Race 8, each at Bendigo on 23 November 2022.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal