

1 November 2023

DECISION

GREYHOUND RACING VICTORIA

and

DAVID CRAWFORD

- Date of hearing:** 25 October 2023
- Panel:** Judge John Bowman (Chairperson) and Mr Greg Childs.
- Appearances:** Mr Anthony Pearce appeared on behalf of the Stewards.
Mr David Crawford represented himself.
- Charges:** 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.
- GAR 151(1) states:
(1) The person in charge of a greyhound must keep and retain written records detailing all vaccinations, antiparasitics and treatments administered to the greyhound:
(a) from the time the greyhound enters their care until the greyhound leaves their care; and
(b) for a minimum of two years.
- Particulars:** **Charge 1: GAR 141(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 “Sir Marley”.
3. Sir Marley was nominated to compete in Race 7, OAKS FUNCTION CENTRE, Mixed 4/5, conducted by the Warragul Greyhound Racing Club at Warragul on 20 December 2022 (the Event).
4. On 20 December 2022, you presented Sir Marley at the Event not free of any prohibited substance, given that:
 - (a) A pre-race sample of urine was taken from Sir Marley upon arrival at the Event (the Sample);
 - (b) Arsenic was detected at a mass concentration of greater than 800 nanograms per millilitre in the Sample.

Charge 2: GAR 151(1)

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhound Racing Victoria Rules of Racing.
2. On 19 January 2023, you failed to produce treatment records for inspection, upon request from Mr Rohan Berkhout, a Steward and person authorised by the Controlling Body, for greyhounds for which you were the responsible person at the relevant time.

Pleas: Guilty

DECISION

Mr David Crawford, you are pleading guilty to two offences.

The first offence is pursuant to Greyhounds Australasia Rule (“GAR”) 141(1) and arises from a positive swab taken from the dog, “Sir Marley”, trained by you, which competed in Race 7 at Warragul on 20 December 2022. Sir Marley finished sixth in that event. The pre-race swab tested positive to the prohibited substance, arsenic.

The most likely source of that substance would seem to be either soil or timber at your kennels. Sir Marley is a chewer, and you now keep that dog muzzled. As for the probable causation, we would refer to the report of Dr Steven Karamatic.

Turning to your situation, you are aged 72 years and have been a trainer for something in excess of 50 years. Your wife is also licensed, and at the moment you have in the order of 31 dogs at your property. Approximately six to eight of them are racing. Essentially you train for yourselves, although occasionally for close friends. You are both pensioners, and your only income, other than from the pension, is from your dogs.

You do have a record of one relevant prior offence, this being in respect of the prohibited substance, cobalt. That occurred some eight years ago, when you were disqualified for three months. We accept that this was one of the very early, if not the first, recorded greyhound cases involving cobalt. We accept, as at that time, as did the Greyhound Racing Appeals and Disciplinary Board (“RADB”), that this positive return resulted from an injection of vitamin supplements. We also accept that the climate then in existence in relation to cobalt, and in relation to the first case of it arising, may have been a little different.

That prior offence must be taken into account, but we do say that otherwise you have a particularly good record stretching over 50 years.

We are also conscious of the fact that offences involving prohibited substances damage the image of greyhound racing. We would refer to the important and highly desirable image of a level playing field and of a drug free industry.

Weighing all of that up, and particularly your long record of involvement and the probable cause of the elevated reading, we have fixed upon the following penalty.

You are suspended for a period of six months. Of that period of suspension, four months is in turn suspended for 24 months. That four month penalty is only activated if you commit a relevant offence during that 24 month period.

Charge 2 involves a breach of GAR 151(1) and concerns the failure to keep proper treatment records. The keeping of such records is important to the administration of the industry and the work of the Stewards. We accept that you have now remedied the situation. However, for this offence, and bearing in mind that both you and you wife are pensioners, we fix the penalty of a fine of \$350.

Finally, Sir Marley is disqualified from Race 7 at Warragul on 20 December 2022 and the finishing order is amended accordingly.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal