

# Stewards' Report

## Stewards Report: Andrew Minton

**Date: 22 September 2020**

**Panel: P Chadwick, D Aurisch and P Zimmermann**

Queensland Racing Integrity Commission (QRIC) Stewards today concluded an inquiry into the procurement of preparations that had not been registered, labelled, prescribed, dispensed or obtained in accordance with applicable Commonwealth and State legislation.

The Stewards charged former foreman Andrew Minton pursuant to Australian Rule of Racing 256(2)(a)(iii) after hearing evidence from Mr Minton at the commencement of the inquiry on 2 March 2020.

Australian Rule of Racing 256(2)(a)(iii) provides:

*A person must not:*

*(a) procure;*

*any of the following:*

*(iii) a substance or preparation that is not permitted to be in a person's possession or on a person's premises in accordance with AR 252(1).*

Australian Rule of Racing 256(3)(b) provides:

*"procure" includes the purchase and/or receipt of a substance or preparation.*

Australian Rule of Racing 252(1) provides:

*A person must not have in his or her possession or on his or her premises any medication, substance or preparation which has not been registered, labelled, prescribed, dispensed or obtained in accordance with applicable Commonwealth and State legislation.*

The specifics of the charge being that Andrew Minton, as a foreman licensed by the Queensland Racing Integrity Commission, did procure a preparation that was not permitted to be in his possession or on his premises in accordance with AR 252(1) from an unregistered and unlicensed person on seven (7) occasions, with the cost of the procured products totalling \$4,170.00.

Mr Minton did not enter a plea to the charge and did not make any submissions in defence of the charge.

After considering all of the evidence, the Stewards were comfortably satisfied that sufficient evidence existed to substantiate the charge and Mr Minton was formally found guilty of the charge.

In determining penalty in relation to the charge, the Stewards considered the following:

1. the absence of any plea or submissions in defence of the charge;
2. the nature, circumstances and seriousness of the offending conduct, including Mr Minton's admission that:
  - (i) he procured what he believed to be two (2) day amino drenches from an unlicensed and unregistered person;
  - (ii) he procured the drenches upon the direction of his employer at the relevant time;
  - (iii) the drenches arrived at his premises by courier;
  - (iv) the drenches were couriered to his premises (as opposed to the registered stable of his employer) as the drenches were unlabelled and were not marked as a registered veterinary product; and
  - (v) he was aware that he could not have the drenches in his possession due to the drenches being unlabelled and not marked as a veterinary product;
3. Mr Minton's personal circumstances, noting that he no longer holds any licence with the Queensland Racing Integrity Commission and that he has not actively participated in the racing industry for over two (2) years;
4. Mr Minton's disciplinary history over a period of approximately five (5) years;
5. Mr Minton's cooperation throughout the inquiry, together with his frank and forthright evidence;
6. the penalty precedents for the offence; and
7. the need for the penalty to act as both a specific deterrent to Mr Minton to reduce the risk of further offending and a general deterrent to the wider racing industry for the integrity of the racing industry to remain paramount.

The Stewards, having considered the above factors, determined the appropriate penalty was a monetary penalty in the amount of \$2,000.00.

Mr Minton was advised of his rights to apply for an internal review of the decision pursuant to Chapter 6 of the *Racing Integrity Act 2016* (Qld).

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