

Stewards' Report

Date: Tuesday, 7 June 2022

Panel: Mr W Hadley (Chairman), Ms A Turner, Mr D Broxham

Person: Mr Darren Russell

Rule: GAR 84A(4)(a), GAR 79A(7), GAR 84(2)

Charges: Mr Darren Russell:

1. Administered Fertagyl, being a Permanently Banned Prohibited Substance referred to in GAR 79A(2), to the greyhounds Lockety Brin and Anda Marie after acquiring the substance in or around February 2020
2. Was in possession of Fertagyl, being a Permanently Banned Prohibited Substance referred to in GAR 79A(2), at his registered kennel address on 20 November 2021, which substance could give rise to an offence if administered to a greyhound
3. Was in possession of Fertagyl at his registered kennel address on 20 November 2021, which substance had not been prescribed in compliance with the relevant State or Commonwealth legislation

Substance: Fertagyl (Gonadotropin Releasing Hormone)

Penalty: Charge 1: Twelve (12) month disqualification effective immediately
Charge 2: Six (6) month disqualification to be served concurrently with Charge 1
Charge 3: \$1,000.00 fine

On 7 June 2022, the Queensland Racing Integrity Commission Stewards conducted an inquiry into evidence obtained by the Queensland Racing Crime Squad resulting from a search warrant executed at the registered kennel address of trainer Mr Darren Russell.

After considering all of the evidence, Stewards issued three (3) charges to Mr Russell pursuant to the Greyhounds Australasia Rules as follows:

Charge 1: Issued pursuant to Greyhounds Australasia Rule 84A(4)(a), which provides:

It shall be an offence for any person to acquire, attempt to acquire, administer or allow to be administered to any greyhound, any Permanently Banned Prohibited Substance referred to in Rule 79A.

The specifics of Charge 1 were as follows:

That Mr Darren Russell, on his own admission, did administer Fertagyl, being a Permanently Banned Prohibited Substance referred to in GAR79A(2) as it contained Gonadotropin Releasing Hormone, to the greyhounds Lockety Brin and Anda Marie after the purchase of the substance in or around February 2020.

Charge 2: Issued pursuant to Greyhounds Australasia Rules 79A(7), which provides:

If any substance or preparation that could give rise to an offence under this rule if administered to a greyhound at any time is found at any time at any premises used in relation to the training or racing of greyhounds then any registered person who owns, trains or races or is in charge of greyhounds at those premises is deemed to have the substance or preparation in their possession and such person shall be guilty of an offence and liable to penalty.

The specifics of Charge 2 were as follows:

That Mr Darren Russell, a registered person with the Queensland Racing Integrity Commission, was found to be in possession of Fertagyl, being a Permanently Banned Prohibited Substance referred to GAR79A(2) as it contained Gonadotropin Releasing Hormone, at his registered kennel address on 20 November 2021, which substance could give rise to an offence if administered to a greyhound.

Charge 3: Issued pursuant to Greyhounds Australasia Rules 84(2) which provides:

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 specifics of Charge 3 were as follows:

That Mr Darren Russell, a registered person with the Queensland Racing Integrity Commission, was found to be in possession of the Permanently Banned Prohibited Substance Fertagyl at his registered kennel address on 20 November 2021, which substance had not been prescribed in compliance with relevant State or Commonwealth legislation.

Mr Russell entered a plea of guilty to Charge 1 and Charge 2 and a plea of not guilty to Charge 3.

Stewards formally found Mr Russell guilty of Charge 3 and Mr Russell made brief submissions to the Stewards regarding penalty.

Stewards considered the following when determining penalty:

- Mr Russell's plea of guilty to Charge 1 and Charge 2 at the earliest available opportunity;
- Mr Russell's plea of not guilty in respect of Charge 3, noting Mr Russell's submissions as to mitigation of penalty being his ignorance to the rule in respect of the prescription of the substance;
- Mr Russell's time in the greyhound racing industry as a trainer, being approximately twenty (20) years;
- Mr Russell's forthright evidence and cooperation;
- Mr Russell's personal and financial circumstances;
- Mr Russell's disciplinary history, noting Mr Russell has no prior breaches of a similar nature;

- the nature of the prohibited substance, particularly noting that Fertagyl is a permanently banned prohibited substance and therefore a clear message needs to be sent to the industry that any breach involving a permanently banned prohibited substance is serious and cannot be tolerated;
- Mr Russell's knowledge that Fertagyl is a permanently banned prohibited substance, however still acquired the product and administered the product to his greyhounds with this knowledge;
- the need to maintain the integrity of greyhound racing and to ensure a level playing field for all participants;
- the need for both specific and general deterrence; and
- relevant penalty precedents.

Accordingly, the Stewards issued the following penalties:

Charge 1: Twelve (12) month disqualification effective immediately

Charge 2: Six (6) month disqualification to be served concurrently with Charge 1

Charge 3: \$1,000.00 fine

Stewards permitted Mr Russell seven (7) days from midnight 7 June 2022 to transfer all greyhounds from his care and control, with Stewards permission being required for each transfer.

Mr Russell was advised of his right to an Internal Review.