



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: Thursday 1 June 2023

Decision-maker: Chief Steward Troy Vassallo and Inspector Lisa Londregan

Name of relevant person: Graham Fishburn

Date: 30 November 2022

Rule no.: 156(w)

Charge(s): Mr Graham Fishburn failed to comply with the Greyhound Welfare and Integrity Commission Greyhound Rehoming Policy (1 December 2019 to 30 April 2023) by having Cape Spectre (“greyhound”) euthanized on Wednesday 30 November 2022 following an incident that occurred at his kennels on Tuesday 29 November 2022 involving the greyhound and his granddaughter and making no attempt to rehome such greyhound or seek admission to the Greyhound As Pets (GAP) program.

Disciplinary action taken: To issue a 4-month suspension, wholly and conditionally suspended for 12 months.

INVESTIGATION

1. On Thursday 8 December 2022, GWIC received a Euthanasia Of Greyhound – By Vet Notification for the greyhound “Cape Spectre”.
2. On Thursday 16 February 2022, GWIC Inspectors conducted a kennel inspection at the premise of registered Owner Trainer and Breeder Mr Graham Fishburn and subsequent telephone interview on Friday 24 March 2023.
3. On Tuesday 29 November 2022, an incident occurred in the kennel block at Mr Fishburn’s premise between “Caper Spectre” and Mr Fishburn’s granddaughter, who sustained a minor injury to her finger.
4. On Wednesday 30 November 2022, Mr Fishburn transported “Cape Spectre” to Rossmore Veterinary Hospital whereby the greyhound was euthanized.
5. Mr Fishburn made no attempt to rehome “Cape Spectre” or seek admission to the Greyhound As Pets (GAP) program in accordance with the Greyhound Rehoming Policy (1 December 2019 to 30 April 2023).

DECISION:

1. On Monday 29 May 2023, Mr Fishburn was served with a notice to attend a hearing in regards to the circumstances surrounding the euthanasia of “Cape Spectre” on 30 November 2022. A Brief of Evidence was also provided to Mr Fishburn.
2. The hearing was scheduled for Thursday 1 June 2023 via Microsoft Teams.
3. At the hearing on 1 June 2023, further evidence was adduced from Mr Fishburn and having regard to the evidence, the decision-makers charged Mr Fishburn with an offence under Rule 156(w) of the Greyhound Racing Rules, which reads:

Rule 156(w), Rules

An offence is committed if a person (including an official):

(w) fails to comply with a policy or code of practice adopted by a Controlling Body;

4. Mr Fishburn entered a not guilty plea and provided further verbal submissions in defence of the charge.
5. In considering the matter, the decision makers considered Mr Fishburn’s not guilty plea and submissions, as well as all available evidence. The decision makers found the charge proven and took the following disciplinary action against Mr Fishburn:

Charge 156(w): To issue a 4-month suspension, wholly and conditionally suspended for 12 months.

8. In taking this disciplinary action, the decision makers considered all evidence, including:
 - Mr Fishburn’s not guilty plea
 - Mr Fishburn’s good disciplinary record of over 38 years
 - Mr Fishburn’s personal and professional circumstances
 - His forthright evidence and co-operation during the inquiries
 - Purpose of issuing penalties as a protective measure for the image and interests of the greyhound racing industry
 - Principles of specific and general deterrence and what message is sent to the industry in respect to such conduct.

.....End.....