



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 23 June 2020

Decision-maker: Director Legal Services, Matthew Tutt

Name of relevant person: Mr Tony Atkins

Track: Grafton

Date: 3 December 2019

Rule no.: Local Rule 21(2)(d)(ii)

Charge(s): (1) Mr Atkins nominated the greyhound 'Bazza Brann' ("Greyhound") for the purposes of competing in the Grafton Versatility Series on 9 and 16 December 2019 when at the time of nomination, the Greyhound was not eligible to compete in the Series.

Disciplinary action taken: To disqualify the greyhound 'Bazza Brann' from the Grafton Versatility Series held on 9 December 2019 and 16 December 2019

DECISION:

1. Mr Atkins, is and at all material times, was a registered greyhound trainer.
2. On 3 December 2019 Mr Atkins submitted an online nomination for the greyhound 'Bazza Brann' ("Greyhound") to compete in the Grafton Versatility Series ("Series"). The Series involved a final which was held over a distance of 480 metres.
3. The conditions of eligibility for the Series included that any greyhound nominated for the Series must be eligible for all races in the Series at the time of nomination.
4. On 9 December 2019, the Greyhound competed in race 5 of the Grafton meeting, namely Heat 1 of the Series. The Greyhound finished first and progressed to the Final of the Series.
5. Following the Greyhound's win in the heat on 9 December 2019, the Greyhound competed in a trial over 449 metres at The Gardens.
6. On 16 December 2019, the Greyhound competed in the Final of the Series at Grafton. The Greyhound placed third in the Final.

7. After considering the evidence following completion of the Commission's investigation, the Commission charged Mr Atkins under Local Rule 21(2)(d)(ii), which reads:

(2) A nomination form by which a greyhound is nominated for any event at a meeting to be conducted by a club:

...

(d) If the nomination is submitted to the Controlling Body by e-mail, telephone or in writing, the owner or trainer, by making the nomination:

...

(ii) has certified that he or she is registered with GRNSW or with an approved Registration Authority, that he or she is the owner and/or trainer of the greyhound nominated, that neither the owner, trainer nor the greyhound are at the time of the nomination subject to the disqualification or other disability or prohibition which would make the greyhound ineligible for the TAB or Non-TAB meeting for which it is nominated

8. Mr Atkins denied the charge, provided written submissions and elected to have the disciplinary proceeding conducted in writing.

9. The Commission found the charge proven and took the following disciplinary action:

To disqualify the greyhound 'Bazza Brann' from the Series, being both Race 5 at Grafton on 9 December 2019 and Race 6 at Grafton on 16 December 2019.

10. In taking this disciplinary action, the Commission considered all evidence, including:

- Mr Atkins has been a registered trainer for approximately 26 years, since 1994;
- Mr Atkins has no prior disciplinary action matters on his record;
- Mr Atkin's submissions in response to the charge and mitigation of any penalty, including that he believed that he had made appropriate and genuine enquiries with officers of the Controlling Bodies to ensure that he was acting within the Rules when nominating the Greyhound for the Series, and as a result of these inquiries Mr Atkins believed the Greyhound remained eligible to compete in the Series.

11. The Commission determined in the circumstances, that it was not appropriate to impose any further penalty.

.....End.....