



GREYHOUND WELFARE & INTEGRITY COMMISSION

DISCIPLINARY ACTION DECISION

Date of decision:	1 February 2022
Decision-makers:	Director Compliance, Policy & Legal, Matthew Tutt, Director Race Day Operations & Integrity, Wade Birch and A/Deputy Chief Inspector, Shaye Barrow
Name of relevant person:	Mr Gregory Sutherland
Track:	N/A
Date:	August 2021
Rule no.:	Local Rule 125(1)
Charge(s):	Mr Sutherland entered into an agreement to breed from a greyhound whilst not being registered to do so.
Disciplinary action taken:	8-week suspension, wholly suspended for 12 months on the condition that Mr Sutherland does not breach LR 125(1) or similar Rule in that period.

On 1 November 2021 Mr Sutherland was issued with a notice of proposed disciplinary action (“**Notice**”) setting out the proposed disciplinary action to be taken and the grounds in support of that proposed disciplinary action. The Notice issued one charge under Local Rule 125(1) and invited Mr Sutherland to admit or deny the charges and make submissions in relation to the Charges.

Mr Sutherland was provided with a brief of evidence along with the Notice. In addition, a summary of the evidence was contained in the Notice.

Mr Sutherland did not respond to the Notice and failed to provide a plea or any submissions on subsequent attempts to contact him.

The decision makers considered the matter and were satisfied that, as the documentation was provided to Mr Sutherland at the address provided by him, that he was provided the opportunity to respond to the charge.

SUMMARY

1. Mr Sutherland is registered with GWIC as an Owner Trainer only and has never held a Breeder registration within the greyhound racing industry.
2. Prior to 18 August 2021, Mr Sutherland entered into a breeding lease agreement with registered participant Edward Foyle, in relation to a female greyhound owned by Mr

Foyle, namely 'Rema's Amber' (microchip number: 956000004305286) ("**the Greyhound**").

3. On 18 August 2021, Mr Sutherland contacted the GWIC registration team via telephone. During that telephone conversation Mr Sutherland advised that:
 - The Greyhound was in his care and custody, and due to whelp on 21 August 2021;
 - That the Greyhound was owned by Mr Foyle and that he had submitted a breeding lease application in respect of the Greyhound;
 - That Mr Foyle would be attending at Mr Sutherland's property to assist with the birth as he was not a registered Breeder.
4. Later on 18 August 2021, GWIC Chief Veterinarian Dr Michelle Ledger advised GWIC staff that as it was so close to the due date of 21 August 2021 the Greyhound could not be relocated to the property of a registered Breeder.
5. On 19 August 2021 Deputy Chief Inspector Shaye Barrow spoke to Mr Sutherland over the telephone and advised him that:
 - He was required to provide photographs of the proposed whelping area for the Greyhound to ensure its compliance; and,
 - A formal interview would be required in relation to this matter.
6. Mr Sutherland sent Inspector Barrow photographs of the proposed whelping area that same day, which she deemed to be compliant.
7. On 21 August 2021, Mr Foyle attended at Mr Sutherland's premises to assist with the birth of the litter (litter ID: 63481, "**the litter**"). Once whelped, Mr Foyle left the Greyhound and litter in Mr Sutherland's care and custody.
8. On 23 August 2021, Inspector Tony Hitchcock conducted an interview with Mr Sutherland. During this interview Mr Sutherland advised that:
 - On or around 21 June 2021 he took the Greyhound to the Colyton Veterinary Clinic where she was artificially inseminated;
 - That at the time of insemination he was advised that the procedure could not happen under his name as he is not a licenced Breeder;
 - The procedure was then performed under Mr Foyle's licence as registered Breeder.
9. On 7 September 2021 Inspector Peter Austin spoke to Mr Foyle over the telephone. During that interview he advised that:
 - Mr Sutherland had an arrangement with Mr Foyle that Mr Foyle would lease Mr Sutherland the Greyhound to breed from;
 - Mr Foyle knew that the Colyton Veterinary Clinic would not inseminate the Greyhound for Mr Sutherland because Mr Sutherland did not hold a Breeders registration;
 - Mr Foyle stated that GWIC advised Mr Sutherland that Mr Foyle would need to lease the Greyhound to Mr Sutherland in order for Mr Sutherland to breed from

the Greyhound as Mr Foyle held a Breeders registration, and Mr Sutherland would not receive one in time;

- Mr Foyle had prepared paperwork to advise GWIC that he was transferring the Greyhound to Mr Sutherland and gave it to Mr Sutherland;
- Mr Foyle believed that Mr Sutherland had provided GWIC with a copy of the breeding lease.

10. On 10 September 2021 the GWIC registration team confirmed that they had not received either a Breeders registration application form from Mr Sutherland. In addition, no notice of transfer was provided by either Mr Foyle or Mr Sutherland with respect to the Greyhound.

DECISION

11. The decision makers charged Mr Sutherland with an offence under Local Rule 125(1), which reads:

- (1) A person must be registered as a breeder by GRNSW to undertake any of the following activities:
- a. arrange for the service or artificial insemination of a dam;
 - b. care for a dam whelping a litter of pups;
 - c. care for an unnamed greyhound including times the greyhound is being whelped and reared.

12. Mr Sutherland did not respond to the charge.

13. The decision makers found the charge proven and took the following disciplinary action against Mr Sutherland:

To suspend Mr Sutherland for 8 weeks, wholly suspended for a period of 12 months on the condition that he does not breach Local Rule 125(2) or any like rules in that time period.

14. In taking this disciplinary action, the decision makers considered all evidence, including:

- Greyhound racing penalty precedents in NSW;
- The length of time Mr Sutherland has held a registration, being a period of approximately 26 years; and
- Mr Sutherland's disciplinary history – he has no matters on his record.

.....End.....