

GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision:	21 July 2021
Decision-makers:	David OShannessy, Chief Inspector, Dean Degan, Senior Steward & Alice Stafford, Acting Senior Legal Officer
Name of relevant person:	Mr Shane Cartwright
Track:	N/A
Date:	19 December 2020 – 12 January 2021
Rule no.:	Rule 106(1)(d)
Charge(s):	(1) Mr Cartwright failed to provide veterinary treatment to the greyhound 'Ivy Rose' as directed to by a GWIC veterinarian resulting in the euthanasia of the greyhound.
Disciplinary action taken:	9-month disqualification (deferred commencement until 26 July 2021)

DECISION:

1. At all material times, Mr Cartwright was the owner and trainer of the greyhound 'Ivy Rose' ("**Greyhound**").
2. On 18 December 2020, the Greyhound competed in race 4 at the Gardens meeting ("**Meeting**").
3. The Greyhound finished the race in last place, after sustaining an injury to its right hind hock during the race.
4. The On-Track Veterinarian ("**OTV**") at the Meeting assessed the Greyhound after it raced and determined that it required further veterinary treatment for a suspected fracture.
5. The OTV completed an On Course Veterinary form requiring Mr Cartwright to present the Greyhound to a veterinarian of his choice for further assessment and treatment within 24 hours. This form was given to Mr Cartwright, in addition to verbal instructions to the same effect.

6. The evidence in the matter found that Mr Cartwright did not seek veterinary treatment for the Greyhound within that required 24 hour period.
7. Between 21 December 2020 and 4 January 2021 the OTV made several enquiries with Mr Cartwright as to the health and treatment of the Greyhound.
8. On 4 January 2021 the OTV established that Mr Cartwright had not sought veterinary treatment for the Greyhound as he was previously directed to seek.
9. On 12 January 2021 the Greyhound was presented to a veterinarian for assessment of the injury. The Greyhound was euthanased that same day as a result of the injuries sustained on 18 December 2020.
10. As a result of this conduct, the Commission charged Mr Cartwright with an offence under Rule 106(1)(d) which reads:
 - (1) A registered person must ensure that greyhounds, which are in the person's care or custody, are provided at all times with-
...
(d) veterinary attention when necessary.
...
(5) An owner or person responsible at the relevant time who fails to comply with any provision of this rule shall be guilty of an offence and liable to a penalty in accordance with Rule 95.
11. On 21 July 2021, this matter was heard by the Commission in hearing via audio-visual software. During the hearing, Mr Cartwright pleaded guilty to the charge, gave oral evidence and made further submissions in mitigation of penalty.
12. The Commission found the charge proven and took the following disciplinary action against Mr Cartwright:

To disqualify Mr Cartwright for a period of 9-months, with the disqualification to commence on 26 July 2021.
13. In taking this disciplinary action, the Commission considered all the evidence, including:
 - Greyhound racing penalty precedents in NSW;
 - The objective seriousness of the offence, which was considered at the higher end as it resulted in the euthanasia of the greyhound;
 - The particular circumstances of the offending were in the decision makers' determination serious, as Mr Cartwright was given repeated directions by a GWIC veterinarian for to seek treatment for the greyhound;
 - Mr Cartwright's admission of the charge at the earliest opportunity was a factor in mitigation;
 - The length of time Mr Cartwright has held a registration in the greyhound racing industry, approximately 17 years;

- Mr Cartwright’s previous disciplinary history, having no relevant prior history was another factor in mitigation;
 - The oral evidence and submissions of Mr Cartwright, including in relation to his personal and financial circumstances, including his involvement in the industry over 17 years without any similar conduct.
14. Having considered all the above factors the decision makers weighed up the matters in mitigation, but considered the aggravating features of this matter to be Mr Cartwright’s failure to follow the directions of the OTV and when ultimately examined by a veterinarian the greyhound was euthanised.
15. Matters that impinge on the welfare of greyhounds are matters that the Commission consider significantly serious. The penalties imposed will always involve disqualifications from the industry for lengthy periods. The Commission has clearly stated in this, and other like matters, that participants found in breach of the rules relating to the welfare of greyhounds will be disqualified from the industry even if they are participants without any previous disciplinary history.

.....End.....