

GREYHOUND WELFARE & INTEGRITY COMMISSION

DISCIPLINARY ACTION DECISION

Date of decision:	8 August 2024	
Decision-makers:	Chief Operating Officer Wade Birch and Steward Sam Woolaston	
Name of relevant person:	Sarah Fellowes	
Rule no(s):	Rule 156(f), Clause 10 of <i>Greyhound Racing Regulation 2019</i> (NSW)	
Charge(s):	<p>Charge 1 – R156(f) - withdrawn</p> <p>Charges 2 to 15 – R156(f)</p> <p>Ms. Fellowes did a thing which, in the opinion of the Controlling Body, was dishonest and improper by allowing a person without a trainer registration to undertake activities associated with training with a greyhound, whilst the greyhound was recorded as being trained by Ms. Fellowes.</p> <p>Charges 16 to 17 – R 156(f)</p> <p>Ms. Fellowes did a thing which, in the opinion of the Controlling Body, was dishonest and improper by holding out to Stewards that a greyhound trained by her had been examined by a veterinarian when it had not.</p> <p>Charge 18 to 23 – Clause 10</p> <p>Ms. Fellowes failed to comply with Clause 10(3) of the <i>Greyhound Racing Regulation 2019</i> (NSW).</p>	
Plea:	Charge 1	Withdrawn
	Charges 2-17	Not guilty
	Charges 18-23	Guilty
Disciplinary action taken:	Charge 2	5-month disqualification;
	Charge 3	5-month disqualification;
	Charge 4	10-month disqualification;
	Charge 5	5-month disqualification;
	Charge 6	5-month disqualification;
	Charge 7	10-month disqualification;
	Charge 8	10-month disqualification;

Charge 9	5-month disqualification;
Charge 10	5-month disqualification;
Charge 11	10-month disqualification;
Charge 12	40-month disqualification;
Charge 13	20-month disqualification;
Charge 14	20-month disqualification;
Charge 15	10-month disqualification;
Charge 16	15-month disqualification;
Charge 17	15-month disqualification;
Charge 18	\$150 fine;
Charges 19 - 23	\$300 fine per charge;

With the penalties for Charges 2-15 to be served concurrently, totalling a 40-month disqualification period (**Group One**);

With the penalties for Charges 16-17 to be served concurrently, totalling a 15-month disqualification period (**Group Two**); and

With the disqualification periods for Groups One and Two to be served cumulatively;

With the total disqualification period being 55 months, backdated to the commencement of prior interim suspensions, to commence on 9 August 2024 and expire on 6 January 2029, and the fines totalling \$1650.

DECISION:

1. Ms. Fellowes was, at all relevant times, a registered Owner Trainer and Breeder with the Greyhound Welfare and Integrity Commission (“**GWIC**” or the “**Commission**”).
2. On Wednesday 8 May 2024, following an investigation by the Commission a notice of charge and proposed disciplinary action (“**Notice**”), was issued to Ms Fellowes. The Notice issued one charge under the Greyhound Racing Rules.

On Friday 31 May 2024 a further Notice was issued to Ms Fellowes. The Notice withdrew the original charge (“**Charge One**”) and issued an additional twenty-two charges, alleging breaches of the following Greyhound Racing Rules:

Charges 2 – 17

Rule 156(f), Rules:

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

...

(f) has, in relation to a greyhound or greyhound racing, done something, or omitted to do something, which, in the opinion of the Controlling Body or the Stewards:

(i) is corrupt, fraudulent, or dishonest;

(ii) constitutes misconduct or is negligent or improper.

Charges 18 - 23

Clause 10, Greyhound Racing Regulation 2019

1. A greyhound racing industry participant who owns or keeps a greyhound must, in accordance with this clause, provide the following information to the Commission –

...

c. if there is a change in the premises at which the greyhound is ordinarily kept – details of the change of premises,

...

3. A greyhound racing industry participant who is required to provide information to the Commission under this clause must do so –

a. in the circumstances referred to in subclause (1)(c) – not more than 3 days after change of premises,

3. The Notice invited Ms. Fellowes to attend a hearing and make submissions in relation to the charges.
4. On 19 June 2024 Ms Fellowes attended a hearing alongside her legal representative. At the hearing, Ms Fellowes entered pleas in respect of the charges and her legal representative made submissions in relation to the charges on Ms Fellowes behalf.
5. On 4 July 2024 decision makers wrote to Ms Fellowes, advising her that they had formally found Charges 2 – 23 proven, and that they were considering what the appropriate disciplinary action may be (“**Second Notice**”). The decision makers proposed the following penalties in the Second Notice

Charge 1 – Rule 156(f)	Withdrawn;
Charge 2 – Rule 156(f)	6-month disqualification;
Charge 3 – Rule 156(f)	6-month disqualification;
Charge 4 – Rule 156(f)	12-month disqualification;
Charge 5 – Rule 156(f)	6-month disqualification;
Charge 6 – Rule 156(f)	6-month disqualification;
Charge 7 – Rule 156(f)	12-month disqualification;
Charge 8 – Rule 156(f)	12-month disqualification;
Charge 9 – Rule 156(f)	6-month disqualification;
Charge 10 – Rule 156(f)	6-month disqualification;
Charge 11 – Rule 156(f)	12-month disqualification;

Charge 12 – Rule 156(f)	48-month disqualification;
Charge 13 – Rule 156(f)	24-month disqualification;
Charge 14 – Rule 156(f)	24-month disqualification;
Charge 15– Rule 156(f)	12-month disqualification;
Charge 16 – Rule 156(f)	18-month disqualification;
Charge 17 – Rule 156(f)	18-month disqualification;
Charge 18 – Clause 10(3), Regulations	\$200 fine;
Charge 19 - Clause 10(3), Regulations	\$400 fine;
Charge 20 - Clause 10(3), Regulations	\$400 fine;
Charge 21 - Clause 10(3), Regulations	\$400 fine;
Charge 22 - Clause 10(3), Regulations	\$400 fine; and
Charge 23 - Clause 10(3), Regulations	\$400 fine.

- Ms. Fellowes was provided with an opportunity to respond to the proposed penalties, and her legal representative made written submissions on her behalf on 15 July 2024 and 23 July 2024.
- Following consideration of Ms. Fellowes pleas and submissions, the decision makers found the charges proven and determined to impose the following disciplinary action upon her:

Charge 2 - Rule 156(f)	5-month disqualification;
Charge 3 - Rule 156(f)	5-month disqualification;
Charge 4 - Rule 156(f)	10-month disqualification;
Charge 5 - Rule 156(f)	5-month disqualification;
Charge 6 - Rule 156(f)	5-month disqualification;
Charge 7 - Rule 156(f)	10-month disqualification;
Charge 8 - Rule 156(f)	10-month disqualification;
Charge 9 - Rule 156(f)	5-month disqualification;
Charge 10 - Rule 156(f)	5-month disqualification;
Charge 11 - Rule 156(f)	10-month disqualification;
Charge 12 - Rule 156(f)	40-month disqualification;
Charge 13 - Rule 156(f)	20-month disqualification;

Charge 14 - Rule 156(f)	20-month disqualification;
Charge 15 - Rule 156(f)	10-month disqualification;
Charge 16 - Rule 156(f)	15-month disqualification;
Charge 17 - Rule 156(f)	15-month disqualification;
Charge 18 - Rule 156(f)	\$150 fine;
Charges 19-23 – Clause 10, Regs	\$300 fine per charge;

With the penalties for Charges 2-15 to be served concurrently, totalling a 40-month disqualification period (**Group One**);

With the penalties for Charges 16-17 to be served concurrently, totalling a 15-month disqualification period (**Group Two**); and

With the disqualification periods for Groups One and Two to be served cumulatively;

With the total disqualification period being 55 months, backdated to the commencement of prior interim suspensions, to commence on 9 August 2024 and expire on 6 January 2029, and the fines totalling \$1650.

8. In taking this disciplinary action, the decision-makers had regard to all relevant evidence and material, including:
- Ms. Fellowes plea of not guilty to Charges 2-17;
 - In considering the appropriate penalties for Charges 2-15, decision makers had particular regard to the period of time associated with each offence. That is, regard was had to the fact that, as an example, the offending for Charge 12 occurred over a three-year period, whereas the offending for Charge 10 occurred over a three-month period.
 - With respect to the penalties proposed for Charges 16 and 17, decision makers had regard to the fact that the offences related to veterinary certificates provided following the scratching of greyhounds trained by Ms. Fellowes, and that the evidence showed that those greyhounds were not, in fact, assessed by a veterinarian. This dishonest conduct was considered to be at the higher level of objective seriousness;
 - Ms. Fellowes pleas of guilty at the earliest opportunity to Charges 18-23, for failing to notify the Commission of changes in the location of greyhounds. The penalties imposed by decision makers had regard to that remorse, as well as penalties outlined in Schedule 1 of the *Greyhound Racing Regulation*;
 - The need for specific and general deterrence in matters such as these, such that both Ms. Fellowes and the industry at large understands that the responsibility for training is a privilege and can only be exercised by those that hold the appropriate registrations;



- The length of time Ms. Fellowes has been registered, a period of approximately 9 years;
- Ms. Fellowes disciplinary history, which includes a previous disqualification for possession of permanently banned prohibited substances.
- The submissions made by Ms. Fellowes and her legal representatives as to the circumstances of the offending.

.....End.....