

GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

- Date of decision:** 15 August 2019
- Decision-makers:** Director Legal Services, Matthew Tutt & A/Chief Steward, Gail Thorsby
- Name of relevant person:** Mr Bradley Cowling
- Dates:** 24 November 2018, 29 December 2018, 7 April 2019,
- Rule no.:** Rule 28(4) x 2, Rule 86(f) x 2, Rule 30,
- Charge(s):**
1. R28(4) A person shall not handle a greyhound presented for an event unless he is an owner, trainer, attendant or a registered person authorised by the Stewards to handle a greyhound for the Event.
 2. R30 On the day of a meeting no greyhound other than those drawn to compete in an event, or any other animal, shall be permitted on the racecourse except with the permission of the Stewards.
 3. R86(f) A person (including an official) shall be guilty of an offence if the person-

(f) engages in, publishes or causes to be published, broadcasts or causes to be broadcast, the use of any contemptuous, unseemly, improper, insulting, or offensive language, conduct or behaviour in any manner or form towards, or in relation to a steward.
 4. R28(4) A person shall not handle a greyhound presented for an event unless he is an owner, trainer, attendant or a registered person authorised by the Stewards to handle a greyhound for the Event.
 5. R86(f) A person (including an official) shall be guilty of an offence if the person-

(f) engages in, publishes or causes to be published, broadcasts or causes to be broadcast, the use of any contemptuous, unseemly, improper, insulting, or offensive language, conduct or behaviour in any manner or form towards, or in relation to a steward.

Disciplinary action taken: Charge 1 – 1 month warning off
Charge 2 – 1 month warning off
Charge 3 – 6 months warning off
Charge 4 – 1 month warning off
Charge 5 – 9 months warning off

All periods of warning off imposed 15 August 2019 are to be served concurrently.

Further, in relation to a previous penalty imposed on 18 February 2018, it was determined to partially activate the disqualification period for Mr Cowling to serve a period of 12 months disqualification. This 12 months disqualification was determined to be served cumulatively on the penalties imposed 15 August 2019.

DECISION:

On 15 August 2019, Mr Cowling appeared before the Commission, in relation to the 5 charges listed above:

1. Unregistered participant, Mr Bradley Cowling, handled a greyhound presented for an event on 24 November 2018 at The Gardens (Charge 1) when he was not authorised to handle a greyhound.
2. On 29 December 2018 at Wauchope, unregistered participant Mr Cowling permitted a greyhound not drawn to compete in an event onto the racecourse (Charge 2). Later at that meeting Mr Cowling used improper, insulting or offensive language towards a steward (Charge 3).
3. On 7 April 2019, at Gunnedah Racing Club, unregistered participant Mr Cowling handled a greyhound presented for an event when he was not registered to do so (Charge 4). Further, at the same meeting Mr Cowling engaged in improper, insulting and offensive conduct towards a steward (Charge 5).
4. At the hearing into the matters, Mr Cowling entered a plea of guilty to Charges 1, 4 and 5. Mr Cowling entered a plea of not guilty to Charges 2 and 3 from 29 December 2018.
5. In relation to the charge from 24 November 2018, Mr Cowling pleaded guilty to handling a greyhound without a current registration.
6. For the charges from 7 April 2019, Mr Cowling pleaded guilty to handling a greyhound when he was not registered to do so. Further, Mr Cowling pleaded guilty to using highly offensive and inappropriate language when present in the Steward's Room when questioned by stewards in relation to his handling of a greyhound whilst unregistered.
7. In relation to the charges of 29 December 2018, Mr Cowling pleaded not guilty to a charge that he permitted a greyhound on the racecourse that was not drawn to compete at the event. Further, Mr Cowling pleaded not guilty to a charge of using highly offensive and inappropriate language to a steward at the same race meeting.

8. After considering all the evidence, the Commission found:

Charge 1 – proven

Charge 2 – proven

Charge 3 – proven

Charge 4 – proven

Charge 5 – proven

9. The Commission took the following action against Mr Cowling:

Charge 1 – 1 month warning off

Charge 2 – 1 month warning off

Charge 3 – 6 months warning off

Charge 4 – 1 month warning off

Charge 5 – 9 months warning off

All of these penalties were determined to be served concurrently.

10. Further, in relation to a penalty imposed on Mr Cowling on 18 February 2018, it was determined to activate a disqualification period of 12 months of the 23 month disqualification period. This 12 month disqualification period was determined to be served cumulatively on the penalties imposed above.

The total effective penalty imposed upon Mr Cowling was for a period of warning off/disqualification for 21 months commencing 15 August 2019 and expiring 14 May 2021.

11. Upon application by Mr Cowling, the Commission determined that there existed exceptional circumstances under LR99B(2) of the Racing Rules to permit Mr Cowling to reside at the premises of his father with such premises being a place where greyhounds are kept.

12. In taking this disciplinary action, the Commission considered all evidence and submissions including:

- i. Mr Cowling's unregistered status and disciplinary history;
- ii. Mr Cowling's remorse to the charges he pleaded guilty to and all the circumstances surrounding the charges;
- iii. Mr Cowling's personal circumstances which the Commission considered significantly mitigated the penalties;
- iv. NSW greyhound racing penalty precedents;

.....End.....