

GREYHOUND WELFARE & INTEGRITY COMMISSION

SUMMARY OF DISCIPLINARY ACTION DECISION

Date of decision:	19 September 2019
Decision-maker:	Chief Executive Officer, Judith Lind
Name of relevant person:	Mr Mitchell Tubinas
Track:	N/A – Non-meeting
Rule no:	Rule 86(f)(iii)
Charge(s):	(1) On 3 August 2019, Mr Tubinas used contemptuous, unseemly, improper, insulting or offensive language towards the Controlling Body in a scratching request lodged through the OzChase portal.
Disciplinary action taken:	Three (3) months' suspension, wholly suspended for 12 months (conditionally)

DECISION:

The Commission has finalised their investigation into a scratching request lodged through the OzChase portal by Mr Mitchell Tubinas on 3 August 2019:

1. At 6:51am on 3 August 2019, Mr Tubinas lodged a scratching request through the OzChase portal for a greyhound he owned and trained.
2. The scratching request related to the prior nomination for the greyhound to compete in race 3 at the Potts Park meeting on 3 August 2019.
3. The reason selected for the scratching was 'Other' and Mr Tubinas provided by details which included contemptuous, unseemly, improper, insulting or offensive language towards the Commission.
4. After considering the evidence, the Commission notified Mr Tubinas of the proposed charge under R86(f)(iii) in writing. Rule 86(f)(iii) reads:

R86: A person 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-

(iii) the Controlling Body;

5. Mr Tubinas entered a plea of guilty the charge and provided written submissions in response.

6. The Commission found the charge proven and took the following disciplinary action against Mr Tubinas:

To suspend his registrations held with GWIC for a period of three (3) months, wholly suspended for 12 months on the condition that, within that 12 month period, Mr Tubinas does not breach Rule 86(f) of the GWIC Greyhound Racing Rules.

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

- Mr Tubinas has held a registration in the greyhound racing industry for over 20 years;
- Mr Tubinas does not have any like matters in his disciplinary history;
- Mr Tubinas' admission at the earliest opportunity and submissions made, including in relation to his personal circumstances in mitigation of the penalty;
- NSW greyhound racing penalty guidelines and precedents.

.....End.....