



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Warning: This report contains language which some readers may find offensive.

Date of decision: 9 June 2020

Decision-makers: Chris Wheeler PSM, Commissioner & Peter Collins, Commissioner

Name of relevant person: Mr Shayne Stiff

Track: Bathurst

Date: 7 September 2019

Rule no.: Rules 86(f)(iv), 86(q) & 86(f)(i)

Charge(s):

(1) On 7 September 2019, Mr Stiff used contemptuous, unseemly, improper, insulting and offensive language towards a Club official.

(2) On 7 September 2019, Mr Stiff engaged in conduct which was detrimental and prejudicial to the interest, welfare, image, control and promotion of greyhound racing.

(3) On 7 September 2019, Mr Stiff used contemptuous, unseemly, improper, insulting and offensive language towards two Stewards.

Disciplinary action taken: Suspension periods served concurrently

Charge 1: 9 months suspension with 5 months suspended for 12 months (conditionally) & fine: \$5,000

Charge 2: 3 months suspension (wholly and conditionally suspended)

Charge 3: 6 months suspension with 2 months suspended for 12 months (conditionally)

DECISION:

The Commission has finalised its investigation into allegations of serious misconduct at the Bathurst Greyhound Racing Club on 7 September 2019:

1. On 7 September 2019, a race meeting was held at the Bathurst Greyhound Racing Club, being heats of the Million Dollar Chase. Around 300 people were present at the Club.

2. After race 6 and prior to the commencement of race 7, the track was graded.
3. Prior to the commencement of race 7, Mr Shayne Stiff, a registered trainer, was present in the catching pen area to catch a greyhound in race 7.
4. Unbeknown to track staff and/or the Stewards, the metal gate or grate and two (2) tyres which were pulled by the tractor to smooth the track after each race ended up on the track at the turn into the back straight, 15 to 20 metres from the catching pen area. The items were not visible by the Stewards from the Stewards' Tower and were observed by the track staff and catchers from the catching pen area.
5. Attempts were made to contact the starter to delay the start of race 7 without success.
6. The items on the track were brought to the attention of a club official working as a track attendant (referred to as "**the Club Official**"), who moved swiftly to attempt to remove the items off the track before the greyhounds reached that area of the track. The Club Official managed to remove the tyres but could not remove the metal gate due to the approaching lure.
7. Shortly into race 7, Mr Stiff was heard to be shouting, including "*stop the fuckin' race, this a no fuckin' race, you are all fuckin' idiots*".
8. Mr Stiff walked into the catching pen / track area while the race was still going, waved his arms about and shouted statements, including "*It's a fucking no race*", "*There is fuckin stuff on the track, it will be a no race*" and "*Hold your fuckin' tickets, Bathurst always fucks with our dogs.*" Mr Stiff was asked to move back to the side fence, which he did.
9. The greyhounds were about 100 metres away from the catching pen area. While the Club Official was walking down the track to the catching pen, Mr Stiff, while looking at the Club Official, 2-3 metres away and waving his arms about, screamed: "*You are a useless stupid black cunt.*"
10. Mr Stiff left the catching pen with the greyhound he caught prior to the microchip of the greyhound being scanned and walked towards the Stewards' Tower. The Club Official, at the same time, walked along the outside of the track and challenged Mr Stiff to fight, but an altercation did not ensue.
11. As Mr Stiff was walking towards the Stewards' Tower, he was heard to yell and scream, making statements including profanities, such as: "*It's a fucking no race ya fuckin' idiot*", "*It's a no fuckin race*" and "*It's got to be a fucken no race, the fucking tyres were on the track!*" Mr Stiff could be heard from the public betting area where members of the general public, including children, were present.
12. Mr Stiff gave his dog away and entered the Stewards' Room. Two Stewards were present reviewing race 7. Mr Stiff was agitated, very confrontational and yelled, while

in close proximity to the Stewards, offensive language at them, which was heard to include:

"[You are a] fucking embarrassment to the industry";

"...you GWIC cockheads...";

"You fucking idiots, you fucking imbeciles, that cunt, cockhead staff members, this club's a fucking joke";

"...you're a bunch of cunts, you're fucking disgraceful";

"Cockhead staff";

"Fucking cockheads the lot of you".

13. Mr Stiff was asked to leave the Stewards' Room immediately to allow the Stewards to consider race 7.
14. The Stewards determined race 7 to be a 'no race' due to the presence of the metal gate on the track.
15. Afterwards, Mr Stiff attended the Stewards' Room at the request of a Steward but the Steward chose to not interview Mr Stiff at that time due to his level of agitation.
16. After considering the evidence, Mr Stiff was charged under the GWIC Greyhound Racing Rules ("**Rules**"). Later in the proceedings, before a final decision was made, new decision-makers were appointed after there were allegations made on Mr Stiff's behalf that there were grounds for the former decision-maker to recuse themselves; although this was disputed by the Commission, new decision-makers were appointed to deal with the matter afresh.
17. Mr Stiff was charged with a breach of Rules 86(f)(iv), 86(q) and 86(f)(i) of the Rules, which read:
 - 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-
 - (i) a Steward;
 - ...
 - (iv) any other person having official duties in relation to greyhound racing;
 - ...
 - (q) commits or omits to do any act or engages in conduct which is in any way detrimental or prejudicial to the interest, welfare, image, control or promotion of greyhound racing-
18. Mr Stiff admitted the charges at the earliest opportunity and submissions were provided on his behalf by his legal representative.
19. The Commission considered all available evidence and found all charges proven.

20. On 2 June 2020, an online hearing was held in relation to the disciplinary action that had been proposed to Mr Stiff's legal representative in writing.

21. The Commission, after considering the further submissions provided on behalf of Mr Stiff, took the following disciplinary action against Mr Stiff:

Charge 1 (Rule 86(f)(iv)): To suspend Mr Stiff's bookmaker, trainer and breeder registrations for a period of 9 months with 5 months suspended for 12 months on the condition he does not breach Rule 86(f) or any like Rules within that 12-month period; and

To fine Mr Stiff in the sum of \$5,000;

Charge 2 (Rule 86(q)): To suspend Mr Stiff's bookmaker, trainer and breeder registrations for a period of 3 months, wholly suspended for 12 months on the condition he does not breach Rule 86(q) or any like Rules during that 12-month period;

Charge 3 (Rule 86(f)(i)): To suspend Mr Stiff's bookmaker, trainer and breeder registrations for a period of 6 months, with 2 months suspended for 12 months on the condition he does not breach Rule 86(f) or any like Rules during that 12-month period,

with the periods of suspension to be served concurrently.

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

- In relation to charge 1, the objective seriousness of the offence was determined as at the higher end of the scale of the conduct captured by Rule 86(f), involving racial slurs made against an employed track official in public;
- In relation to charges 2 and 3, the objective seriousness of the offences were determined as at the mid-range of the scale. involving inappropriate conduct at a public race meeting and abuse of Stewards in execution of their duties;
- The nature of the offences associated with charges 1 and 2 occurring in the gaze and hearing of members of the public;
- Mr Stiff's conduct was found to not be premeditated or a course of conduct on separate occasions but be triggered by an occurrence that could have caused significant harm to the greyhounds participating in the Event;
- Mr Stiff's admission of the charges at the earliest opportunity;
- Mr Stiff has been a registered participant in the greyhound racing industry for a period of approximately 34 years;
- Mr Stiff has a prior breach of Rule 86(o) in his disciplinary history from 2008, considered by the Greyhound and Racing Appeals Tribunal at the time to be on the lower end of the scale of objective seriousness. Due the approximately 11-year lapse between the 2008 offence and the September 2019 offences,

this matter in Mr Stiff's history did not aggravate the disciplinary action imposed;

- Greyhound racing precedents for like conduct;
- General deterrence;
- Mr Stiff's submissions in mitigation of penalty including in relation to his exceptional contribution to the industry over a long period of time and his good character as evidenced by a number of character references.

23. The Commission noted that the delays in finalising the matter were attributed to a change in decision-maker at a time when the matter was part-heard, causing the matter to be heard afresh with different decision-makers from February 2020, three (3) requests for extensions to reply to various correspondence from the Commission which were granted and the conduct of a hearing on proposed penalties on 2 June 2020, together with the consideration of written submissions and supporting documentation.

.....End.....