



**GREYHOUND WELFARE & INTEGRITY COMMISSION**  
**DISCIPLINARY ACTION DECISION**

**Date of decision:** 22 July 2020

**Decision-maker:** Chief Executive Officer, Judith Lind

**Name of relevant person:** Mr Steven Micallef

**Track:** N/A – non meeting

**Date:** 17-23 February 2020; 9-11 March 2020

**Rule no.:** Rule 86(ah); Rule 105(1); Rule 136(3)

**Charge(s):**

(1) Mr Micallef caused 8 greyhounds owned by him to be kept at a place where a disqualified person resides between 17 February and 23 February and between 9 March 2020 and 11 March 2020 in circumstances where he did not have approval from the Commission.

(2) Mr Micallef caused the greyhound 'Hubbity Bubbity' to be kept at a place other than the registered address of the greyhound's trainer or owner between 17 February and 23 February and between 9 March 2020 and 11 March 2020 in circumstances where he did not have approval from the Commission.

(3) Mr Micallef caused 7 unnamed greyhounds owned by him to be relocated from the address of whelping before 14 days after the greyhounds were fully vaccinated and in circumstances where he did not have approval from the Commission.

**Disciplinary action taken:** Served concurrently:

Charge 1: 12-weeks suspension;

Charge 2: 8-weeks suspension, wholly and conditionally suspended for 12 months;

Charge 3: \$750 fine.

**DECISION:**

1. Mr Micallef was, at all material times, a registered greyhound trainer and breeder.

2. Mr Micallef was, at all material times, the owner of the greyhound 'Hubbity Bubbity' ("**Greyhound**"), which was registered with GWIC from 21 June 2019 as a breeding female.
3. On 16 December 2019, a litter of seven (7) puppies were whelped by the Greyhound ("**litter**"). Mr Micallef was the registered Breeder of the litter.
4. The Greyhound and the litter were registered as being kept at the registered kennel address of Mr Micallef from the date of their whelping.
5. On 6 February 2020, the puppies received their 6-8 week C3 vaccination in accordance with Rule 137(1)(b) of the GWIC Greyhound Racing Rules ("**Rules**").
6. On 17 February 2020, Mr Micallef took the Greyhound and the litter to another property where several family members lived ("**second property**"). A disqualified person also resided at that property.
7. Mr Micallef left the eight (8) greyhounds at the property in the care of a family member, not registered with the Commission, while he went on a holiday from 17 February 2020 until 23 February 2020. The disqualified person attended the holiday with Mr Micallef, and did not remain home with the greyhounds at the property.
8. Mr Micallef did not seek permission from the Commission to re-locate the greyhounds to the second property.
9. On 9 March 2020 Mr Micallef again took the Greyhound and the litter to the second property. The disqualified person remained residing at that property. On this occasion, Mr Micallef took the greyhounds to the second property as part of his fence had collapsed meaning that his back yard was no longer able to keep the greyhounds securely contained.
10. GWIC Inspectors attended at the registered property and also at the second property on 11 March 2020. The Greyhound and the litter were located at the second property, and Mr Micallef returned the greyhounds to his registered kennel address on that date.
11. After considering the evidence following the completion of the Commission's investigation, the Commission charged Mr Micallef with a breach of Rule 86(ah), Rule 105(1) and Rule 136(3) which read:

**Rule 86(ah)**

A person (including an official) shall be guilty of an offence if the person-

...

(ah) being a registered person or person associated with greyhound racing, associates with a disqualified person for the purposes of greyhound racing...

### **Rule 105(1)**

- (1) Except in the circumstances described in sub-rule (6) a greyhound shall at all times be kept at the registered address of its trainer or owner unless permission to do otherwise is first obtained from the Controlling Body.  
...
- (6) Where a trainer or owner leaves or proposes to leave a greyhound trained by him in the control of another trainer or attendant (not being a minor) for any period, the following provisions apply-
  - (a) the trainer or owner shall notify the Controlling Body in writing before doing so that he proposes to leave a greyhound trained or owned by him in the control of the nominated person specifying the period during the greyhound is to be left;
  - (b) the person in whose control the greyhound is to be left must be currently registered with the Controlling Body and must have previously consent in writing to being nominated as the controller of that greyhound during such period; and
  - (c) the Stewards or the Controlling Body must approve the leaving of the greyhound in the control of the nominated person before the nominated person can perform any act of a registered person.

### **Rule 136(3)**

- (3) Except with the prior consent of the Controlling Body, a litter of pups shall not be divided or relocated from the address of whelping until such time as they have been ear branded, microchipped and vaccinated in accordance with these Rules, and further until a period of 14 days has elapsed from the date of the last vaccination pursuant to Rule 137(1)(c)(i) and (ii).

12. Mr Micallef admitted the charges, provided written submissions and elected to have the disciplinary proceeding conducted in writing.

13. The Commission found the charges proven and took the following disciplinary action against Mr Micallef:

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|---------------------|---|
| Charge 1 (R86(ah)): | To suspend his registrations for a period of 12 weeks;  |
| Charge 2 (R105(1)): | To suspend his registrations for a period of 8 weeks, wholly suspended for a period of 12 months on the condition that he does not breach Rule 105 or any like Rules during that 12-month period; |
| Charge 3 (R136(3)): | To impose a fine in the sum of \$750.   |

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

- Mr Micallef has been a registered breeder for approximately 1 year;
- NSW greyhound racing penalty precedents;
- Mr Micallef has no prior matters in his disciplinary history;
- Mr Micallef's admission of the charges at the earliest opportunity;
- Mr Micallef's submissions in mitigation of penalty, including in relation to his personal circumstances, an explanation for his conduct, and his remorse.

.....End.....