

## GREYHOUND WELFARE & INTEGRITY COMMISSION

### DISCIPLINARY ACTION DECISION

<b>Date of decision:</b>	25 November 2020
<b>Decision-maker:</b>	Interim Chief Executive Officer, Steven Griffin
<b>Name of relevant person:</b>	Mr Darryl Wilson
<b>Track:</b>	N/A – non meeting
<b>Date:</b>	26 March 2019 – 23 April 2019
<b>Rule no.:</b>	Rules 106(2) & 86(ag)
<b>Charge(s):</b>	(1) Between 26 March and 23 April 2019, Mr Wilson failed to exercise reasonable care and supervision as necessary to prevent the unnecessary suffering of the greyhound, 'Pure Logic';  (2) Between 26 March and 23 April 2019, Mr Wilson failed to comply with clause 8.10 of the <i>GWIC Code of Practice for the Keeping of Greyhounds in Training</i> dated July 2018.
<b>Disciplinary action taken:</b>	Charge 1: 4-month disqualification with 2 months suspended (conditionally) – deferred commencement to 26 November 2020 under Rule 95(5)  Charge 2: Not impose any further penalty having regard to the penalty issued under charge 1

### DECISION:

1. Mr Wilson was, at all material times, a registered greyhound trainer.
2. In July 2018, GWIC implemented the *GWIC Code of Practice for the Keeping of Greyhounds in Training*. Clause 8.10 of the Policy reads:  

The extended use of barking muzzles is not permitted.
3. On 26 March 2019, a greyhound named 'Pure Logic' ("**Greyhound**") entered Mr Wilson's care and custody, with the permission of its owner, for education at his kennels for a period of 4 weeks.
4. The Greyhound was free from any injuries at the time of entering the custody of Mr Wilson.

5. Upon the Greyhound re-entering the custody of its owner, the Greyhound had injuries to its muzzle, face, paws and legs and the owner sought veterinary treatment for the Greyhound;
6. During an inspection of the kennels of Mr Wilson on 26 April 2020, Commission Inspectors discovered a leather muzzle and questioned Mr Wilson in relation to its use. The leather muzzle was seized by Inspectors.
7. Expert veterinary evidence given in the matter was that the cause of the injuries to the Greyhound was from the Greyhound wearing the leather muzzle seized from Mr Wilson's kennels for a considerable period of time unsupervised, or repeatedly over time, likely unsupervised and it was likely there was significant stress, fear and distress caused to the Greyhound in trying to remove the leather muzzle, and in doing so, caused physical pain.
8. After considering the evidence following the completion of the Commission's investigation, the Commission charged Mr Wilson with a breach of Rules 106(2) 86(ag), which read:

**Rule 106(2)**

A registered person must exercise such reasonable care and supervision as may be necessary to prevent greyhounds pursuant to the person's care or custody from being subjected to unnecessary pain or suffering.

**Rule 86(ag)**

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

...

(ag) fails to comply with a policy adopted by a Controlling Body

9. Mr Wilson admitted the charges and elected to have the disciplinary proceeding was conducted in writing.
10. Mr Griffin, Interim CEO, took over as decision-maker of the matter in November 2020, partway through the proceedings, with Mr Wilson's consent.
11. The Commission found the charges proven and took the following disciplinary action against Mr Wilson:

Charge 1 (R106(2)):	To disqualify him for a period of 4 months with 2 months suspended for 24 months on the condition that Mr Wilson does not breach Rule 106(2) or any like rules in the next 24-month period;
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Charge 2 (R86(ag)):	To impose no further penalty having regard to the penalty imposed for charge 1.
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12. In taking this disciplinary action, the Commission considered all evidence, including:

- Greyhound racing penalty precedents – in NSW and other racing jurisdictions;
- Mr Wilson has held a trainer registration for approximately 20 years;
- Mr Wilson has no history of like matters;
- Mr Wilson’s admission of the charges at the earliest opportunity.

.....End.....