

GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision:	31 March 2022
Decision-makers:	Chief Inspector, David OShannessy and Director, Race Day Operations & Integrity, Wade Birch
Name of relevant person:	Mr Terry Roberts
Track:	Wagga Wagga
Date:	14 January 2022
Rule no.:	Rule 86(o)
Charge(s):	On 14 January 2022 Mr Roberts did a thing that was improper or constituted misconduct towards the greyhound 'Logical Chance' (" Greyhound ").
Disciplinary action taken:	Issue a fine in the sum of \$1,000.00, with \$500.00 conditionally suspended, subject to Mr Roberts not breaching Rule 86(o) or like Rule in a 12-month period.

On 29 March 2022, Mr Roberts was issued with a notice of charge and proposed disciplinary action ("**Notice**") setting out the charge and proposed disciplinary action to be taken and the grounds in support of that proposed disciplinary action.

Evidence, plea and submissions

Mr Roberts was provided with a brief of evidence along with the Notice. In addition, a summary of the evidence was contained in the Notice.

The decision makers charged Mr Roberts with a breach of Rule 86(o) of the GWIC Greyhound Racing Rules ("**Rules**") which reads:

Rule 86(o)

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

...

- (o) *has, in relation to a greyhound or greyhound racing, done a thing, or omitted to do a thing, which, in the opinion of the Stewards or the Controlling Body, as the case may be, is negligent, dishonest, corrupt, fraudulent or improper, or constitutes misconduct*

Mr Roberts attended a hearing on Thursday 31 March 2022 and entered a plea of not guilty to the Charge.

Mr Roberts made oral submissions in relation to the Charge. The submissions stated, in summary:

- Mr Roberts denied that he hit the Greyhound on the head with his hand and a leash.
- Mr Roberts submitted that he did not hit the Greyhound on the head with his hand but that he did push the Greyhound away while he was trying to leash his greyhound in the catching area following the race.
- Mr Roberts submitted that he did have a leash in his hand whilst he pushed the Greyhound away, and that it may have made contact with the Greyhound's head, but he did not hit the Greyhound on the head with the leash.
- Mr Roberts submitted that he is overly protective of his greyhounds in the catching area following a race due to a previous experience where one of his greyhounds had to be euthanased after being attacked by another greyhound.
- Mr Roberts submitted his genuine concern and over protection for the care of all his greyhounds.

The decision makers considered Mr Roberts' plea and submissions and made the following determination.

DECISION:

1. Mr Roberts is a registered greyhound owner trainer.
2. On 14 January 2022 Mr Roberts attended the Wagga Wagga meeting with his greyhound to compete in race 6 at that meeting.
3. Following race 6 and whilst in the catching area trying to catch his own greyhound that raced in race 6, Mr Roberts hit the Greyhound on the head with his hand and hit the Greyhound on the head with a leash that was in his hand, as he was trying to push the Greyhound away from his greyhound.
4. After race 6, Mr Roberts attended an inquiry with the Steward Mr Michael Hall. Steward Hall also interviewed three other participants who witnessed the event in the catching area after race 6, including the trainer of the Greyhound.
5. The decision makers found the Charge proven as particularised. The decision makers took the following disciplinary action against Mr Roberts:

Charge (Rule 86(o))

To issue a fine in the sum of \$1,000.00, with \$500.00 conditionally suspended, subject to Mr Roberts not breaching Rule 86(o) or like Rule in a 12-month period.

6. In taking this disciplinary action, the decision makers considered all evidence, including:
 - The length of time Mr Roberts has been in the industry, being a period of approximately 7 years, holding a registration since 2015;
 - Mr Roberts' disciplinary history – he does not have any like matters on his record;

- Mr Roberts' plea of not guilty to the Charge, noting that he did not accept the Charge as particularised; and
 - Mr Roberts' submissions in relation to the matter, in particular Mr Roberts' admission to being overly protective of his greyhounds in the catching area due to his experience in which one of his greyhounds had to be euthanised after being attacked in the catching area by another greyhound following a race.
7. The decision makers acknowledge that Mr Roberts' submissions stated that he did not hit the Greyhound on the head with his hand or hit the Greyhound on the head with a lead but that he did push the Greyhound away from his greyhound as he was leashing his greyhound in the catching area after the race.
 8. The decision makers considered the competing evidence of Mr Roberts, the three witnesses and Steward Hall. Ultimately, the decision makers preferred the evidence of the three witnesses and Steward Hall and accordingly found Mr Roberts guilty to the charge as particularised.
 9. The Commission has stated in the past that animal welfare matters are matters that the Commission treat seriously. Section 11 of the *Greyhound Racing Act 2017* (NSW) lists the first principal objective of the Commission being "*to promote and protect the welfare of greyhounds*". This objective, enshrined in legislation, requires the Commission to consider seriously any and all matters that relate to the welfare of greyhounds, and for this reason the Commission may impose significant penalties on participants found in breach of the Rules.

.....End.....