



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

<b>Date of decision:</b>	4 March 2022
<b>Decision-makers:</b>	Director Race Day Operations & Integrity, Mr Wade Birch, Legal Officer, Ms Annalese Summerson-Hingston and Director Compliance, Policy & Legal, Mr Matthew Tutt
<b>Name of relevant person:</b>	Mr Dean Turley
<b>Track:</b>	N/A
<b>Rule no.:</b>	Rule 86B(1)(b)
<b>Charge(s):</b>	(1) Mr Turley had in his possession two live rabbits at his registered kennel address.
<b>Disciplinary action taken:</b>	Life disqualification

On 10 February 2022 Mr Turley was issued with a notice of proposed disciplinary action (“**Notice**”) via email, setting out the proposed disciplinary action to be taken and the grounds in support of that proposed disciplinary action. The Notice issued one charge under Rule 86B(1)(b) of the GWIC Greyhound Racing Rules (“**Rules**”) and invited Mr Turley to attend a hearing on 16 February 2022.

Mr Turley did not attend the hearing on 16 February 2022. On that same date, the Notice was again sent to Mr Turley via email and by registered mail to Mr Turley’s registered premises (“**Second Notice**”). The Second Notice invited Mr Turley to attend a hearing on 4 March 2022.

On 4 March 2022 the decision makers held a hearing into the matter. Mr Turley also did not attend this hearing.

**SUMMARY**

1. Mr Turley was a registered Public Trainer at all material times.
2. On 27 January 2021 a GWIC Inspector and GWIC Steward attended Mr Turley’s registered kennel premises following receipt of a complaint regarding the possession of live rabbits and their use as a lure. Mr Turley was present at the property during the inspection.
3. During the inspection of the property, in an undercover shed area attached to the kennel premises, the GWIC Inspector and Steward have located a cage that was approximately 1 metre by half a metre in size, with three separate compartments. In one of the compartments were small bones that appeared to be old, with no flesh attached to them. The cage also had hair matted to the cage and pellets of faecal matter.

4. The Inspector seized the cage and placed the bones and other debris from the cage in an evidence bag.
5. In the course of investigating this matter, GWIC Inspectors have been provided with photographic and video material which depicts a white trailer connected to a blue van. The video material shows a wire cage attached to the front of the trailer. Inside the cage are two live brown rabbits.
6. The video and photographic material was taken on 27 February 2020.
7. The trailer was, as at 27 February 2020, registered in Mr Turley's name and as being kept at his registered kennel premises.

## **CHARGE**

8. Mr Turley was charged with an offences under Rule 86B(1)(b) which reads:

(1) A person who, in the opinion of the Stewards or Controlling Body-

...

- b. attempts to possess, or has possession of, or brings onto, any grounds, premises or within the boundaries of any property where greyhounds are, or are to be trained, kept or raced, any live animal, animal carcass or any part of an animal for the purpose of being, or which might reasonably be capable of being, or likely to be, used as bait, quarry or lure to entice or excite or encourage a greyhound pursue it;

...

shall be disqualified for a period of not less than 10 years and in addition shall be fined a sum not exceeding such amount as specified in the relevant Act or Rules...

## **SERVICE**

9. The decision makers had regard to Rule 89, specifically Rule 89(1)(b) and (1)(d), which read:

(1) A notice or other document required or authorised to be given to or served on any person pursuant to these Rules may be given or served by-

...

- b. posting it by prepaid registered mail letter addressed to the last known place of residence or business of the person;

...

- d. transmitting it by facsimile or any other electronic device to a known, relevant address of the person.

10. The decision makers had regard to the correspondence issued to Mr Turley's email and postal addresses as recorded against his registration. Particularly, the decision makers were satisfied that the emails issued on 10 February 2022 and 16 February 2022 and the letter sent by registered post on 16 February 2022 satisfied the above rule as the email and postal correspondence was sent to the last known postal address

and email address. Further, the decision makers noted the evidence provided that the postal correspondence of 16 February 2022 was delivered on 21 February 2022.

## **DECISION**

11. Mr Turley did not attend on either of the scheduled hearing dates. Accordingly, at the hearing on 4 March 2022 the decision makers considered that no plea had been entered and reviewed the evidence without the ability to consider any submissions from Mr Turley as to the charge.
12. Notwithstanding Mr Turley's absence, the decision makers were required to consider all of the evidence and to make a determination on that evidence.
13. The decision makers relied on the video footage, as well as a statement from a witness who was present when the footage was taken. The decision makers found this to be particularly compelling evidence.
14. The decision makers found the charge proven and took the following disciplinary action against Mr Turley:

**Charge 1 (Rule 86B(1)(b))**

Life disqualification,

pursuant to section 59(1)(d) of the Act.

15. The decision makers had regard for Rule 86B(1) which requires a disqualification period of not less than 10 years unless a finding of special circumstances can be made out. The same Rule also states:  
  
...in addition, shall be fined a sum not exceeding such amount as specified in the relevant Act or Rules...
16. Decision makers determined that a fine was not necessary in this matter, considering the impact of a life disqualification to be a sufficient penalty.
17. Decision makers felt that a life disqualification, whilst the most significant regulatory penalty that can be imposed, was appropriate in this instance. The objective seriousness of conduct in this matter was considered to be at the highest end of the spectrum of offending behaviour captured by Rule 86B(1), with the live rabbits in question being in the direct vicinity to Mr Turley's trailer in which he transports greyhounds.
18. The conduct Mr Turley was found guilty of is of the most egregious within the greyhound racing industry. Accordingly, the decision makers felt that such conduct must be met with penalties that reflect this seriousness. The Commission is of the view that lengthy periods of disqualification must be imposed for offences relating to luring and baiting.

.....End.....