

GREYHOUND WELFARE & INTEGRITY COMMISSION

DISCIPLINARY ACTION DECISION

Date of decision:	Thursday 20 July 2023
Decision-makers:	Senior Steward Kevin Adams, Steward Shane O'Shea and Steward Louise Warren
Name of relevant person:	Peter Johnston
Rule no.:	LR21(a), R151, R156(h)
Charge(s):	<p>Charge 1 – LR21(a)</p> <p>Mr Johnston did a thing which, in the opinion of the Controlling Body, constitutes an offence by striking the greyhound 'Stir The Pot' in the face.</p> <p>Charge 2 – R151</p> <p>Mr Johnston failed to produce complete written treatment records when requested by an authorised person.</p> <p>Charge 3 – R156(h)</p> <p>Mr Johnston failed to comply with a lawful order of a member of the Controlling Body.</p>
Plea:	<p>Charge 1 – Not Guilty</p> <p>Charge 2 – Not Guilty</p> <p>Charge 3 – Not Guilty</p>
Disciplinary action taken:	<p>Charge 1 - 6-month disqualification.</p> <p>Charge 2 - \$500 fine.</p> <p>Charge 3 - 3-month suspension, to be served concurrently with Charge 1</p> <p>The disqualification period will commence midnight Tuesday 25th July 2023 and expires midnight Thursday 25th January 2024.</p>

DECISION:

1. Mr Johnstone was, at all relevant times, a registered Public Trainer and Breeder with the Greyhound Welfare and Integrity Commission.
2. On 30 June 2023 Mr Johnston was issued with a notice of charge and proposed disciplinary action (“**Notice**”). The Notice issued three charges against him for breaches of the following Greyhound Racing Rules:

Charge One Local Rule 21(a), Rules

A person is guilty of an offence if the person:

- (a) Strikes, wounds, abuses, torments, tortures, mutilates or in any other way causes unnecessary harm or suffering to a greyhound.

Charge Two Rule 151 Rules

(1) The person in charge of a greyhound must keep and retain written records detailing all vaccinations, antiparasitics and treatments administered to the greyhound:

- (a) from the time the greyhound enters their care until the greyhound leaves their care; and
- (b) for a minimum of two years.

(2) If requested by the Controlling Body, a Steward, or an authorised person, the record/s of treatment referred to in subrule (1) of this rule must be produced for inspection.

(3) Each record of treatment kept in accordance with this rule must be made by midnight on the day on which the treatment was given, and, as a minimum requirement, include the following information:

- (a) the name of the greyhound;
- (b) the date and time of administration of the treatment;
- (c) the name of the treatment (brand name or active constituent);
- (d) the route of administration;
- (e) the amount given; and
- (f) the name and signature of the person or persons administering and / or authorising the treatment.

For the purpose of subrule (3), “day” means the 24-hour period from 12.00am to 11.59p on any calendar day.

(4) An offence is committed if any person in charge of a greyhound at the relevant time fails to comply with any of subrules (1) to (3) of this rule.

Charge Three Rule 156(h), Rules

An offence is committed if a person (including an official):

- (a) disobeys or fails to comply with a lawful order of a Controlling Body, the Stewards, or another person authorized by a Controlling Body with official duties relating to greyhound racing

3. A summary of the charges issued against Mr Johnston are as follows:

Charge 1 – LR21(a)

On May 29, 2023, at his registered kennel address, Mr Johnston did strike the greyhound ‘Stir The Pot’ in the face with an open palm.

Charge 2 – Rule 151

On May 29, 2023, Mr Johnston failed to produce complete treatment records for the greyhounds in his care and control when requested to do so by a GWIC Inspector

Charge 3 – Rule 156(h)

On May 29, 2023, Mr Johnston was issued with a lawful order from a GWIC Inspector in regard to seeking veterinary treatment for the greyhound ‘Stir The Pot’ and ensure all proscribed directions and treatments were followed and recorded. On 5 June 2023 officers of the Controlling Body confirmed that these orders had not been fully complied with.

4. The Notice invited Mr Johnston to attend a hearing on Thursday 20 June 2023, and to enter a plea and make submissions in relation to the charge.

5. At the hearing conducted on Thursday 20 June 2023 Mr Johnston, and his representative:

- entered a plea of not guilty to all three charges; and
- made verbal submissions in response to the charges

6. Following considering of Mr Johnston’s plea and verbal submissions made by the defendant and his representatives, the decision-makers found all three charge proven and took the following disciplinary action against him:

Charge 1 - 6-month disqualification.

Charge 2 - \$500 fine.

Charge 3 - 3-month suspension, to be served concurrently with Charge 1.

7. In taking this disciplinary action, the decision-makers considered all evidence before them, including:

- Mr. Johnston’s Not Guilty plea to each charge;

- Mr. Johnston's 34 year history in the industry and good record, with no previous relevant disciplinary history;
- Mr. Johnston's personal circumstances.

.....End.....