

GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision:	21 September 2023
Decision-maker:	Chief Commissioner Brenton (Alby) Taylor
Name of relevant person	Ms Chantel Galwey
Date:	Various dates across 2021 and 2022
Rule charged:	Rule 84A, Rule 86(ac), Rule 86(x), Rule 106(1)(a), Rule 106(1)(c), Rule 106(1)(d), Rule 106(2),
Code of Practice Standard charged:	Standard 3.16, Standard 7.4
Regulation charged:	Clause 10
Charges:	<p>Charge 1 (Rule 106(1)(c)) Between 10 December 2021 and 7 February 2022 Ms Galwey failed to provide kennels that were of a requisite standard nor kept in a clean and sanitary condition to house the greyhounds in her custody.</p> <p>Charge 2 (Rule 84A) On 28 January 2022 Ms Galwey failed to provide medical treatment records for two (2) greyhounds in her care when requested to do so by an Inspector.</p> <p>Charge 3 (Standard 3.16, Code of Practice) On 10 December 2021 Ms Galwey had a greyhound in her custody that required urgent veterinary attention as a result of her failure to monitor the dental health of and seek veterinary attention for the greyhound.</p> <p>Charge 4 (Rule 86(x)) On 10 December 2021 Ms Galwey made a false statement to an Inspector during the course of an investigation into her conduct.</p> <p>Charge 5 (Rule 86(ac)) On 31 October 2021 Ms Galwey had a greyhound served by artificial insemination without obtaining an exemption to do so when the greyhound had undergone four pregnancies at the material time.</p>

Charge 6 (Clause 10, Regulation)

Between the dates of 26 August 2021 and 30 December 2021 Ms Galway failed to submit multiple notifications in compliance with the requirements of Clause 10 of the Regulations.

Charge 7 (Rule 106(1)(d))

On 3 and 4 December 2021 Ms Galway failed to obtain veterinary treatment for an injury sustained by a greyhound in her custody.

Charge 8 (Standard 7.4, Code of Practice)

Between the dates of 21 November 2021 and 28 November 2021 Ms Galway removed a litter of pups from having access to their mother prior to them reaching eight (8) weeks of age.

Charge 9 (Rule 106(1)(a))

On 28 November 2021 a greyhound in the care and the custody of Ms Galway that was determined by a veterinarian to be emaciated and suffering from malnutrition.

Charge 10 (Rule 106(1)(d))

Between 18 November 2021 and 26 November 2021 Ms Galway failed to provide necessary veterinary attention for a greyhound that became unwell in her custody.

Charge 11 (Rule 106(2))

Between 18 November 2021 and 26 November 2021 Ms Galway failed to exercise reasonable care and supervision in order to prevent unnecessary pain and suffering of a greyhound in her custody.

Charge 12 (Rule 106(1)(a))

Between 31 October 2021 and 10 December 2021 Ms Galway had custody of a litter of eight pups that were diagnosed by a veterinarian to be unhealthy, underweight and suffering from stunted growth.

Plea:

Guilty to all charges

Disciplinary action taken:

Charge 1:	A fine of \$500.00;
Charge 2:	A fine of \$500.00;
Charge 3:	A fine of \$500.00;
Charge 4:	Nine (9) month disqualification;
Charge 5:	Charge withdrawn;

Charge 6:	A fine of \$2,400.00;
Charge 7:	Three (3) year disqualification;
Charge 8:	Nine (9) month disqualification;
Charge 9:	Two (2) year disqualification;
Charge 10:	Two (2) year disqualification;
Charge 11:	Three (3) year disqualification;
Charge 12:	Three (3) year disqualification

With:

- Charges 4 and 7 to be served concurrently, resulting in a combined penalty of a three (3) year disqualification;
- Charges 9, 10 and 11 to be served concurrently, resulting in a combined penalty of a three (3) year disqualification;
- Charges 8 and 12 to be served concurrently, resulting in a combined penalty of a three (3) year disqualification;
- Each combined period of disqualification to be served cumulatively resulting in a total penalty of a nine (9) year disqualification.

BACKGROUND

1. Ms Galway was registered as an Owner Trainer, Breeder and Studmaster at all material times.
2. In early December 2021 the Commission received a complaint regarding the welfare of greyhounds that were in the custody of Ms Galway. Contemporaneously, Ms Galway sent the Commission an email complaining of the conduct of the owner of greyhounds in her custody and requested assistance in removing those greyhounds from her care. This complaint attached several pictures of the greyhounds referred to in her complaint.
3. On 9 December 2021, the Commission's Acting Chief Veterinarian Hunter reviewed the photographs provided by Ms Galway and provided approval for the greyhound and pups depicted in those photographs to be removed from the property, despite the pups being younger the usual age at which pups are permitted to change location.
4. On 10 December 2021, Commission Inspectors attended at the registered premises of Ms Galway at a pre-arranged time. Inspectors removed eight puppies and three greyhounds from the custody of Ms Galway and returned them to the owner who was present. The puppies were observed to be underweight and in poor body condition.

5. The Inspectors then proceeded to conduct a kennel inspection of the property. The kennels were deemed to be non-compliant with the New South Wales Greyhound Welfare Code of Practice.
6. During the inspection, Ms Galwey was questioned as to whether the greyhound '*All Night Fever*' had been served by way of artificial insemination. Ms Galwey denied that that greyhound had been served. The greyhound was observed to appear underweight at the time of the inspection.
7. Inspectors then scanned and inspected all greyhounds present at the property. The greyhound '*Galena Bale*' was deemed to have significant dental issues and Ms Galwey was issued a direction to seek veterinary treatment for the detected issues.
8. After leaving the property, Inspectors confirmed with Colyton Veterinary Clinic that the greyhound '*All Night Fever*' had been served by way of artificial insemination in November 2021.
9. On 24 December 2021 Inspectors were advised that the puppies and their mother that had been removed from Ms Galwey's custody were unable to be vaccinated by their treating veterinarian as they were too ill to undergo the process.
10. Inspectors were further advised that another of the greyhounds that had been removed from the custody of Ms Galwey was required to remain in the veterinary clinic for necessary treatment for a period of eight days prior to being released.
11. On 7 January 2022 Inspectors received advice that Ms Galwey had provided a Notification of Service for the greyhound '*Runway Idole*'. This greyhound had previously whelped three litters, and required an exemption to breed. This exemption had not been sought by Ms Galwey prior to servicing the greyhound.
12. In an interview conducted on 28 January 2022, Ms Galwey admitted that she had removed the litter of eight puppies from their mother at three weeks of age.
13. During that same interview, Ms Galwey also admitted to not seeking necessary veterinary treatment for the greyhound '*Miss Gabrielle*' that had been removed from her care on 26 November 2021 by the owner.
14. During a final interview conducted on 25 February 2022, Ms Galwey made admissions to failing to notify the Commission about the transfer in and out of her custody of multiple greyhounds.

Charges

15. Based on the outlined conduct, the Commission alleged that Ms Galwey had breached the following Greyhound Racing Rules ("**Rules**"), Greyhound Racing Regulation ("**Regulations**") and the Code of Practice ("**Code**"):

Rule 84A, Rules

- (1) The person in charge of a greyhound must keep and retain records detailing all vaccinations, antiparasitics and medical treatments administered to a greyhound from the time the greyhound enters their care until the greyhound leaves their care and for a minimum of two (2) years. Such record of treatment must be produced for inspection when requested by a Steward or a person authorised by the Controlling Body. Any person responsible for a greyhound at the relevant time who fails to comply with any provision of this rule shall be guilty of an offence.
- (2) Each record 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) Name of the greyhound;
 - (b) Date and time of administration of the treatment;
 - (c) Name of the treatment (brand name or active constituent);
 - (d) Route of administration;
 - (e) Amount given;
 - (f) Name and signature of person or persons administering and/or authorising treatment.

For the purposes of sub-rule (2) “day” means the 24 hour period from 12:01am to 12 midnight on any calendar day.

- (3) For the purposes of this rule “treatment” includes:
 - (a) All Controlled Drugs (Schedule 8) administered by a veterinarian;
 - (b) All Prescription Animal Remedies and Prescription Only Medicines (Schedule 4);
 - (c) Any injectable substance not already specified in this Rule;
 - (d) All Pharmacist Only (Schedule 3) and Pharmacy Only (Schedule 2) medicines;
 - (e) All veterinary and other substances containing other scheduled and unscheduled prohibited substances.

Rule 86(ac) and (x)

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

...

- (x) makes any statement which to his/her knowledge is false either oral by, by print, in writing, by electronic means or by any combination thereof to a member of the Controlling Body, an officer of the Controlling Body, an employee of the Controlling Body, a veterinary surgeon or an official in the execution of his/her duty;

...

(ac) in the opinion of the Controlling Body, a person is guilty of neglect or of any dishonest, corrupt or improper act or practice in connection with the breeding or registration of greyhounds or has attempted any such act or practice;

...

Rule 106(1)(a), (c) and (d), Rules

- (1) A registered person must ensure that greyhounds, which are in the person's care or custody, are provided at all times with-
 - (a) proper and sufficient food, drink and protective apparel;
 - (b) ...
 - (c) kennels constructed and of a standard approved by the Controlling Body which are adequate in size which are kept in a clean and sanitary condition; and
 - (d) veterinary attention when necessary.

Clause 10, Regulations

- (1) A greyhound racing industry participant who owns or keeps a greyhound must, in accordance with this clause, provide the following information to the Commission-
 - (a) if the greyhound is whelped – details of the whelping,
 - (b) if there is a change in the ownership of the greyhound – details of the change of ownership;
 - (c) if there is a change in the premises at which the greyhound is ordinarily kept – details of the change of premises;
 - (d) if the greyhound is inseminated (whether naturally or artificially) – details of the servicing of the greyhound;
 - (e) if the greyhound dies – details relating to the date, time and location of the death (including the cause of death, if known);
 - (f) if the greyhound ceases to be a greyhound to which the Act applies – details of the reason that the greyhound ceases to be a greyhound to which the Act applies.
- (2) If the Commission approves a manner or form for providing information required by this clause, the information must be provided in the approved manner or form.
- (3) A greyhound racing industry participant who is required to provide information to the Commission under this clause must do so-
 - (a) in the circumstances referred to in subclause (1)(c) – not more than 3 days after change of premises, or
 - (b) in the circumstances referred to in subclause (1)(e) – not more than 2 days after the death of the greyhound, or
 - (c) in other circumstances – not more than 14 days after the circumstances arise.

Standard 3.16, Code of Practice

Participants must monitor the dental health of all greyhounds in their care, and seek veterinary treatment if required.

Standard 7.4, Code of Practice

Each day, puppies aged 0-8 weeks must be provided with:

- (a) access to normal puppy activity and play with its mother and littermates;
- (b) exposed to a variety of surfaces; and
- (c) a variety of toys.

16. On 10 May 2023 Ms Galwey sent an email in which she pleaded guilty to all charges brought against her and declined to participate any further in the proceedings.
17. The decision maker then issued a notice of the proposed penalties for the charges of which Ms Galwey pleaded guilty to, and requested submissions in response.
18. Ms Galwey elected not to provide any response to the proposed penalties issued.

DECISION

Penalty determination

19. In taking this disciplinary action, the decision maker considered all evidence and submissions before him, including:
 - The Commission’s objectives pursuant to the *Greyhound Racing Act 2017*, being to:
 - Promote and protect the welfare of greyhounds; and
 - Maintain public confidence in the greyhound racing industry;
 - The objective seriousness of the conduct;
 - The plea of guilty entered to all charges;
 - The need for general and specific deterrence;
 - The length of time that Ms Galwey had been registered; and
 - The lack of any prior relevant disciplinary history.
20. The decision maker ultimately determined that the penalties to be issued in respect of the remaining eleven (11) charges was as follows:

Group One

Charge 1 (Rule 106(1)(c))

Fine of \$500.00; and

Charge 2 (Rule 84A)

Fine of \$500.00; and

Charge 3 (Standard 3.16, Code) Fine of \$500.00; and
Charge 6 (Clause 10, Regulation) Fine of \$2,400.00

Total penalty for Group One being a Fine of \$3,900.00.

Group Two

Charge 4 (Rule 86(x)) Nine (9) month disqualification; and
Charge 7 Rule 106(1)(d)) Three (3) year disqualification

To be served concurrently, resulting in a total penalty for Group Two of a three (3) year disqualification.

Group Three

Charge 9 (Rule 106(1)(a)) Two (2) year disqualification; and
Charge 10 (Rule 106(1)(d)) Two (2) year disqualification; and
Charge 11 (Rule 106(2)) Three (3) year disqualification

To be served concurrently, resulting in a total penalty for Group Three of a three (3) year disqualification.

Group Four

Charge 8 (Standard 7.4, Code) Nine (9) month disqualification; and
Charge 12 (Rule 106(1)(a)) Three (3) year disqualification

To be served concurrently, resulting in a total penalty for Group Four of a three (3) year disqualification.

with the disqualification periods for Groups Two, Three and Four to be served cumulatively.

.....End.....