

GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision:	19 October 2023
Decision-maker:	Chief Commissioner Brenton (Alby) Taylor
Name of relevant person	Mr Paul Bonner
Date:	Various dates across 2021
Rule charged:	Rule 86(ac), 86(o) and 86(x)
Regulation charged:	Clause 10
Charges:	<p>Charge 1 (Rule 86(ac)) On 31 October 2021 Mr Bonner paid for the greyhound 'Runway Idole' to be served by artificial insemination without the greyhound having been granted the necessary exemption to be bred from.</p> <p>Charge 2 (Rule 86(o)) That Mr Bonner did a thing that was improper or constituted misconduct in that between 18 October 2021 and 20 October 2021 Mr Bonner removed the greyhound 'Flyrite' and her litter of pups from the premises that they were located at, prior to the litter being ear branded, microchipped or vaccinated.</p> <p>Charge 3 (Rule 86(o)) That Mr Bonner did a thing that was improper or constituted misconduct in that between 28 October 2021 and 4 November 2021 Mr Bonner removed the greyhound 'Mulwee Dream' and her litter of pups from the premises that they were located at, prior to the litter being ear branded, microchipped or vaccinated.</p> <p>Charge 4 (Clause 10, Greyhound Racing Regulations) That Mr Bonner failed to comply with clause 10(3) of the Regulations in that between 26 August 2021 and 26 November 2021 Mr Bonner relocated four (4) greyhounds from the premises that they were living at without notifying the Commission that he had done so.</p>

Charge 5 (Rule 86(x))

On 26 October 2021 and 9 November 2021 Mr Bonner submitted three (3) whelping notices that included a false statement regarding the whelping location of the respective litters.

Plea: Not guilty to charges 1 – 4; guilty to charge 5.

Disciplinary action taken:

Charge 1:	Charge withdrawn;
Charge 2:	A twelve (12) week period of suspension, wholly and conditionally suspended for a period of twelve (12) months;
Charge 3:	A twelve (12) week period of suspension, wholly and conditionally suspended for a period of twelve (12) months;
Charge 4:	A fine of \$800.00;
Charge 5:	A sixteen (16) week period of disqualification.

With,

- the period of disqualification for charge 5; and
- the periods of suspension for charges 2 and 3 (which are wholly suspended)

to be served concurrently.

Mr Bonner's disqualification will commence at 12:01am on **Monday 23 October 2023** and expire at 11:59pm on **Monday 12 February 2024**.

DECISION:

Background

1. Mr Bonner was registered as an Owner, Trainer and Breeder at all material times.
2. On a date between 26 August 2021 and 1 October 2021 Mr Bonner relocated two greyhounds, namely 'Flyrite' and 'Mulwee Dream' to the registered premises of another participant. Mr Bonner did not notify the Commission that these greyhounds had been removed from his registered premises within the required timeframe.
3. On or around 4 September 2021 Mr Bonner relocated the greyhound 'Kikem Kreation' to the registered premises of another participant. Mr Bonner did not notify the Commission that the greyhound had been removed from his registered premises within the required timeframe.

4. On 15 October 2021 the greyhound 'Flyrite' gave birth to a litter of ten (10) pups, with eight (8) pups being born live and two (2) being stillborn.
5. On a date between 18 October 2021 and 20 October 2021, Mr Bonner removed both the greyhound 'Flyrite' and the litter of eight (8) pups from the premises at which the greyhound had been whelped and relocated them to his own registered premises. At the point in time that the litter was relocated, the pups had not yet been ear branded, microchipped or vaccinated. Mr Bonner did not seek, nor was he granted, an exemption to relocate the litter at this time from the Commission.
6. On 21 October 2021 the greyhound 'Mulwee Dream' gave birth to a litter of five (5) pups.
7. On 26 October 2021 Mr Bonner submitted a Whelping Notice for both 'Flyrite' and 'Mulwee Dream' and their litters. Mr Bonner stated on both Whelping Notices that both greyhounds had been whelped at his registered premises, when in fact, the greyhounds 'Flyrite' and 'Mulwee Dream' had actually been whelped at a different premises to that stated on the notices.
8. On a date between 28 October 2021 and 4 November 2021 Mr Bonner removed both the greyhound 'Mulwee Dream' and the litter of five (5) pups from the premises at which the greyhound had been whelped and relocated them to his own registered premises. At the point in time that the litter was relocated the pups had not yet been ear branded, microchipped or vaccinated. Mr Bonner did not seek, nor was he granted, an exemption to relocate the litter at this time from the Commission.
9. On or around 26 November 2021 Mr Bonner relocated the greyhound 'Miss Gabrielle' to the registered premises of another participant. Mr Bonner did not notify the Commission that the greyhound had been removed from his registered premises within the required timeframe.
10. On 9 November 2021 Mr Bonner submitted a Whelping Notice for the greyhound 'Kikem Kreation' and her litter. Mr Bonner stated on the Whelping Notice that the greyhound had been whelped at his registered premises. The greyhound had actually been whelped at a different premises to that stated on the notice.

Charges

11. Based on the above outlined conduct, the Commission alleged that Mr Bonner had breached the following Greyhound Racing Rules ("**Rules**") and Greyhound Racing Regulation ("**Regulations**"):

Rule 86(o), (x) and (ac)

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

...

(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

...

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.
12. On 7 June 2023 Mr Bonner attended a hearing in which he pleaded not guilty to charges 1-4, and guilty to charge 5. He also made submissions in response to the charges brought against him during that hearing.

13. The decision maker then issued a notice of the proposed penalties. The notice informed Mr Bonner that he had been found guilty of charges 2-5, and that charge 1 had been withdrawn. The notice requested Mr Bonner to provide submissions in respect of the proposed penalties.
14. Mr Bonner provided written submissions in response to the proposed penalties on two separate occasions, both via email.

Decision

Penalty determination

15. In taking this disciplinary action, the decision maker considered all evidence and submissions before him, including:
 - The Commission's objectives pursuant to the GRA, 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 not guilty entered to charges 1, 2, 3 and 4;
 - The plea of guilty entered to charge 5;
 - The submissions in respect of the circumstances of charge 1, including why Mr Bonner believed the charge ought not be proven against him;
 - The personal subjective factors raised by Mr Bonner, in particular relating to his health;
 - The need for general and specific deterrence;
 - The length of time that Mr Bonner had been registered; and
 - The lack of any prior relevant disciplinary history.
16. The decision maker ultimately determined that the penalties to be issued in respect of the remaining four (4) charges was as follows:

Charge 2 (Rule 86(o), Rules)

A twelve (12) week period of suspension, wholly and conditionally suspended for a period of twelve (12) months on the basis that Mr Bonner does not commit any further breach within that time period;

Charge 3 (Rule 86(o), Rules)

A twelve (12) week period of suspension, wholly and conditionally suspended for a period of twelve (12) months on the basis that Mr Bonner does not commit any further breach within that time period;

Charge 4 (Clause 10, Regulation) A fine of \$800.00; and

Charge 5 (Rule 86(x), Rules) A sixteen (16) week period of disqualification.

The period of disqualification for charge 5 and the period of suspension for charges 2 and 3 (which respectively are wholly suspended), will be served concurrently and commence at 11:59pm on **Monday 23 October 2023** and expire at 11:59pm on **Monday 12 February 2023**.
.....End.....