

GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 23 April 2024

Decision-makers: Chief Steward Troy Vassallo and Steward Sam Woolaston

Name of relevant person: Garry Gibson

Rule no(s): R28, R21(1)(a), R21(1)(e)

Charge(s): **Charge 1 – R28**
Mr. Gibson did a thing which, in the opinion of the Controlling Body, constitutes an offence, by failing to ensure a greyhound in his care did not stray onto any private property without the permission of the owner or occupier of that property.

Charge 2 – R21(1)(a)
Mr. Gibson did a thing which, in the opinion of the Controlling Body, constitutes an offence, by failing to ensure a greyhound in his care was provided proper and sufficient sustenance.

Charge 3 – R21(1)(e)
Mr. Gibson did a thing which, in the opinion of the Controlling Body, constitutes an offence, by failing to ensure an injured greyhound in his care received appropriate treatment.

Plea: Not guilty to all charges

Disciplinary action taken: **Charge 1** - 12-month disqualification;
Charge 2 – 3-year disqualification; and
Charge 3 – 3-year disqualification.

With the penalties to be served concurrently; and
With the disqualification period to expire on 23 April 2027.

DECISION:

1. Mr. Gibson was, at all relevant times, a registered Owner Trainer with the Greyhound Welfare and Integrity Commission.
2. On 4 November 2023, Warrumbungle Shire Council collected greyhounds (“**Greyhounds**”) ‘State My Mate’ and ‘All Star State’ which had strayed from Mr. Gibson’s registered kennel address.

3. Subsequent veterinary examinations of the Greyhounds determined that:
 - State My Mate was considered to be malnourished; and
 - All Star State was found to be injured.
4. On 27 November 2023 a notice of charge and proposed disciplinary action (“**Notice**”), was issued to Mr. Gibson in writing. The Notice issued three charges, alleging breaches of the following Greyhound Racing Rules:

R21, Greyhound Racing Rules

- (1) A person must ensure that any greyhound in the person’s care or custody, is at all times provided with:
 - (a) proper and sufficient food, drink and protective apparel;
 - ...
 - (e) kennels constructed and of a standard approved by a Controlling Body which are adequate in size and which are kept in a clean and sanitary condition;
 - ...
 - (e) appropriate treatment for the greyhound if the person is in charge of a sick or injured greyhound.

Rule 28, Greyhound Racing Rules

A registered person must ensure that any greyhound under the person’s care, custody or control does not stray onto any private property without the permission of the owner or occupier of that property, or stray onto any public place.

5. At a hearing conducted via telephone conference on 11 December 2023, Mr. Gibson entered pleas of not guilty to all three charges and the inquiry was adjourned to allow decision makers opportunity to provide Mr. Gibson with the brief of evidence in the matter.
6. On 15 April 2024, Mr. Gibson was issued in writing, to an address nominated by Mr. Gibson, with a notice of charge and proposed disciplinary action (“**Notice**”), along with a brief of evidence.
7. The Notice invited Mr. Gibson to attend a hearing on 23 April 2024, and make submissions in relation to the charges and proposed penalties. The penalties decision makers proposed were:

Charge 1 – Rule 28	12-month disqualification;
Charge 2 – Rule 21(1)(a)	3-year disqualification; and
Charge 3 – Rule 21(1)(e)	3-year disqualification.

8. On 23 April 2024 Mr. Gibson failed to appear at the scheduled hearing. Decision makers made several attempts to contact him but were unsuccessful. Accordingly, the hearing was conducted in his absence.
9. In lieu of having the opportunity to consider any submissions from Mr. Gibson on the proposed penalties, and with consideration of the not guilty pleas previously entered by Mr. Gibson, the decision-makers found the charges proven and determined to not

reduce the proposed penalties. Accordingly, decision makers imposed upon Mr. Gibson the following penalties:

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|---------------------------------|------------------------------|
| Charge 1 – Rule 28 | 12-month disqualification; |
| Charge 2 – Rule 21(1)(a) | 3-year disqualification; and |
| Charge 3 – Rule 21(1)(e) | 3-year disqualification. |

With the penalties to be served concurrently; and

With the disqualification period to expire on 23 April 2027.

10. In taking this disciplinary action, the decision-makers had regard to all relevant evidence and material, including:
- Mr. Gibson’s not guilty plea to all charges;
 - Mr. Gibson’s failure to attend the second hearing on 23 April 2024, and the lack of any submissions in respect of the proposed penalties. This was an important factor in determining not to reduce the penalties below what was initially proposed;
 - Principles of specific and general deterrence, with regard to what message is sent to the industry in respect of conduct such as what occurred in this matter; and
 - The purpose of issuing penalties as a protective measure, in order to:
 - promote and protect the welfare of greyhounds;
 - safeguard the integrity of greyhound racing; and
 - maintain public confidence in greyhound racing.

.....End.....