

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

**Date of decision:** 31 May 2024

**Decision-makers:** Chief Commissioner Brenton (Alby) Taylor and  
Chief Operating Officer Wade Birch

**Name of relevant person:** Desmond Mr Cecil

**Rule no.:** R156(g), R165(c)(iv), R156(h)

**Charge(s):** **Charge 1 – R156(g)**  
That Mr Cecil wilfully assaulted (ii) an officer or employee of the Controlling Body.

**Charge 2 – R165 (c)(iv)**  
That Mr Cecil engaged in contemptuous, unseemly, improper, insulting or offensive conduct or behaviour towards (ii) an officer or employee of the Controlling Body.

**Charge 3 – R156(h)**  
That Mr Cecil disobeyed or failed to comply with a lawful order of a Controlling Body, the Stewards, or another person authorised by a Controlling Body with official duties in relation to greyhound racing.

**Plea:** Guilty to Charge 1  
Not Guilty to Charge 2  
Not Guilty to Charge 3.

**BACKGROUND:**

1. Mr Desmond Cecil is registered with the Greyhound Welfare and Integrity Commission (“**Commission**”) as a greyhound Owner, Owner Trainer and Breeder – Whelper. He has been registered as an Owner Trainer since 2016.
2. The background to this matter is that on the 2 November 2023, Mr Cecil attended a greyhound race meeting at the Casino greyhound track where he had a number of greyhounds entered to race that day. During that race meeting, Mr Cecil was required by Commission Senior Steward Mr Dean Degan to attend the on-track Stewards’ Room so as the Stewards could conduct an inquiry in relation to the behaviour and actions of Mr Cecil; that inquiry involving issues which are largely unrelated to this matter.
3. The Stewards’ Room at Casino is located up one flight of stairs.

4. After making his way to the Stewards' Room, at some point after the commencement of the Stewards Inquiry, Mr Cecil experienced a medical episode, and the Inquiry was immediately adjourned. An ambulance was called, and Mr Cecil was taken to hospital.
5. Over the following weeks, Mr Cecil made a recovery, and gradually returned to a state of health whereby he was again able to care for the 32 greyhounds kennelled at his premises, without abnormal or additional assistance.
6. On 21 December 2023, some seven weeks after meeting at Casino, Mr Cecil attended the Grafton Greyhound Racing track, where he had several greyhounds nominated to race that day, and at least one greyhound was nominated to participate in a clearance trial which was conducted prior to the commencement of the race meeting proper.
7. A greyhound nominated in a clearance trial on that date by Mr Cecil, was a greyhound named "*Valour Rain*". Unfortunately, during this clearance trial *Valour Rain* sustained an injury and had to be carried from the track for examination and treatment by the Commission's veterinarian in attendance, Dr Kasia Hunter.
8. Because of the accident involving *Valour Rain*, Mr Cecil, Dr Hunter and Ms Jamie Hancock (Hancock), an associate of Mr Cecil, attended the Veterinarian's Room to attend to *Valour Rain*. In summary, Dr Hunter examined and sedated the greyhound and indicated to Mr Cecil and Hancock that *Valour Rain* would need be transferred to an off-track veterinary clinic for scans and further assessment of the greyhound's injuries. At which time, Dr Hunter and Hancock commenced making inquiries to locate a suitable and available veterinary clinic.
9. At this time, Mr Cecil asked Dr Hunter if he could be excused. Dr Hunter indicates Mr Cecil made this request as he wanted to partake of food and drink, and Mr Cecil states his request was made so as he could change into his race day attire or uniform, something which is a prerequisite for greyhound racing industry participants handling dogs on-track during a race meeting. This inconsistency as to why Mr Cecil sought leave from the Vet's room is largely erroneous, except that Mr Cecil had arranged for Hancock to handle his dogs during the race meeting, on the basis he was still recovering from his previous medical episode and was not 'participating' during the meeting. Why Mr Cecil would then need to change into his race day attire is curious? Regardless, the differing versions offered by Mr Cecil and Dr Hunter are noted. In any event, Mr Cecil then left the Vet's room and the kennelling area of the racetrack.
10. After some 75 to 90 minutes, Dr Hunter became concerned that Mr Cecil had failed to return to finalise arrangements concerning the transportation of *Valour Rain* to an off-track veterinary clinic for scans and further treatment.
11. Upon seeing Mr Degan in the kennelling area, Dr Hunter requested Mr Degan to seek out Mr Cecil and ask him to attend the Vet's room as soon as possible so as the necessary arrangements could be finalised. It is clear Dr Hunter's concerns pertained to the welfare of *Valour Rain* and the amount of time which had elapsed since the greyhound was injured. During the hearing questions and submissions were raised as to Dr Hunter's level of concern pertaining to why she didn't either call Mr Cecil or seek him out personally to reattend the Vet's room. Dr Hunter stated that she does not carry her phone on her person during race meetings. Moreover, she indicated her duties

precluded her from personally locating Mr Cecil and instead she chose to ask Mr Degan to do this for her. We accept this as an appropriate course.

12. In the period between Mr Cecil leaving the Vet's room and Mr Degan being requested by Dr Hunter to locate Mr Cecil, Mr Cecil procured some food and drink and sat outside near the finishing post at the track, to consume same. Whilst doing this, Mr Cecil was seated and in conversation with a Mr David Brodie, another participant.
13. During this period, Mr Degan walked past Mr Cecil on at least one occasion whilst conducting his duties, whereupon Mr Degan spoke or called out to Mr Cecil indicating that Mr Cecil had an outstanding Stewards' Inquiry which required his attendance upon the Stewards, and that he would need to attend the Stewards' Room during the race meeting to finalise this matter.
14. Mr Cecil states that due to his partial deafness, he was unable to clearly hear everything which Mr Degan said, but from what he could hear, and from what he was told by Mr Brodie, he felt Mr Degan's tone and demeanour was firm and aggressive in nature. Mr Degan refutes this, and states that his words were matter of fact and functional in the sense he was advising and directing that Mr Cecil needed to attend a Steward's hearing expeditiously.
15. As stated at 12 above, after a period, Dr Hunter requested Mr Degan to locate Mr Cecil and ask him to return to the Vet's Room. Mr Degan then did this in a further conversation between himself and Mr Cecil. This led to Mr Cecil attending the kennelling area where he took a seat and commenced a conversation with Commission Steward Kearney. At this time, there were several persons present in the kennelling area comprising trainers and attendants readying greyhounds for racing. Also present was Dr Hunter. At some point, Mr Degan entered the kennelling area and approached Mr Cecil, again advising Mr Cecil he was required to attend a Steward's Inquiry. Mr Cecil at the time was still seated, and sitting next to Kearney who was also seated.
16. Following the request or direction from Mr Degan, Mr Cecil seemingly took objection to being asked or required to attend a Stewards' Inquiry and began shouting and refusing Mr Degan's request or direction, accusing Mr Degan of "bullying" him. Mr Cecil's language and demeanour at this time were loud, aggressive and at times it is clear he was swearing and using profanities towards Mr Degan. Witnesses indicated that Mr Degan was restrained but direct and did not back down from his position. To this end, it is apparent that Mr Degan advised Mr Cecil that if he failed to adhere to the Steward's direction, then his greyhounds would be scratched from racing for the remainder of the race program, and he would be required to leave the track.
17. In a recorded interview with Commission Inspector Joel Santin and during the hearing of this matter, Mr Cecil indicated that he became so incensed and upset at this point that he felt compelled to leave the area to discontinue the confrontation with Mr Degan, and he then left the kennelling area, walking outside the building to end the confrontation. CCTV footage of the kennelling area, shows Mr Degan left the kennelling area first, ending the confrontation, and it was Mr Cecil who followed Mr Degan outside.

18. The CCTV footage of the incident indicates that the confrontation between Mr Degan and Mr Cecil lasts some 70 seconds in duration in the kennelling area before the parties leave the room.
19. Once outside the kennelling area, Mr Cecil again confronted Mr Degan. Based on various accounts, the parties recommenced their verbal interaction until a point where Mr Cecil raised both of his hands and with open palms pushed Mr Degan in the chest area, physically assaulting Mr Degan. At this point, bystanders including Ms Hancock and Mr Kearney interceded between the parties, separating them.
20. After and/or due to this altercation, and due to Mr Cecil failing to adhere to Mr Degan's direction to attend a Steward's Inquiry, the remainder of Mr Cecil's greyhounds programmed to race that day, were scratched on the decision of Mr Degan, and Mr Cecil removed his greyhounds from the kennels and left the track, without further incident.
21. The greyhound *Valour Rain* was ultimately removed from the track and taken to a local veterinary clinic where, after scans, the greyhound was euthanised due to its injuries.

## CHARGES

22. Subsequent to these events, the Commission's Stewards charged Mr Cecil with three breaches of the Greyhound Racing Rules being:

### **Charge 1:**

#### **Rule 156 General Offences**

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

...

(g) wilfully assaults, obstructs, impedes, abuses, interferes with, threatens or insults:

...

(iv) a Steward or any other official of a Controlling Body or a Club;

in or at any place, including at or in the vicinity of the place where an inquiry, other disciplinary process, hearing or appeal proceeding is to take place, is taking place or has taken place.

### **Charge 2:**

#### **Rule 165 Conduct detrimental to the interests of greyhound racing**

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

...

(c) engages in contemptuous, unseemly, improper, insulting, or offensive conduct or behaviour in any manner or form towards, or in relation to:

...

(iv) a Steward or any other official of a Controlling Body or a Club.

**Charge 3:**

**Rule 156 General Offences**

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

...

(h) disobeys or fails to comply with a lawful order of a Controlling Body, the Stewards, or another person authorised by a Controlling Body with official duties in relation to greyhound racing

**DECISION:**

23. At a hearing conducted on Wednesday 24 April and Wednesday 1 May 2024, Mr Cecil, through his legal representative, entered a plea of guilty in relation to Charge 1 and pleas of not guilty in relation to charges 2 and 3.
24. Mr Cecil's plea of guilty in relation to Charge 1 was accepted.
25. In relation to Charge 2, the question is, did the participant, Mr Cecil, '*engage in contemptuous, unseemly, improper, insulting, or offensive conduct or behaviour in any manner or form towards, or in relation to a Steward*'.
26. Part 3 of the Greyhounds Australasia Rules sets out the powers and functions of Stewards. In this regard, Rule 18 empowers a Steward to "*conduct an inquiry into any matter concerning greyhound racing that falls within their powers*".
27. On the occasion of the 21 December 2023, the Stewards sought to conduct an inquiry with Mr Cecil, in relation to the inquiry adjourned on 2 November 2023 and a weight variation concerning one of Mr Cecil's greyhounds.
28. Rule 19(3) states that:

Subject to the Rules, Stewards have the power to control and regulate a meeting and without limitation, have power to:

- (a) make orders so as to further the fulfilment of their functions as Stewards;
- (b) inquire into any matter or thing in connection with a meeting under their control

...

- (e) control, regulate, and inquire into the conduct of officials, bookmakers, bookmakers' clerks, owners, trainers, attendants and other persons participating in or associated with a meeting

...

(h) require any owner or trainer to satisfy the Stewards that the person or any greyhound nominated by the person is not subject to any penalty or restriction pursuant to the Rule

...

(s) determine any act, matter or thing within their authority that arises but is not provided for by the Rules...

29. Rule 170 states that:

(1) A Controlling Body or the Stewards may require the attendance of and the giving of evidence by any person who, in their opinion, may have knowledge of any of the matters the subject of or related to an inquiry or other disciplinary process.

30. What flows is that the powers of Stewards in conducting a race meeting are very wide and comprehensive. There is no doubt that Rule 170(1) provides Stewards with the power to a) conduct an inquiry and b) direct a participant, such as a greyhound owner or trainer, to attend such an inquiry.

31. Accordingly, the actions of Mr Degan were within his power and were appropriately exercised in directing Mr Cecil to attend the inquiry.

32. It was put to the hearing by Mr Cecil's representative that Mr Cecil made it clear to Mr Degan he did not want to attend the inquiry. This is accepted. What is not accepted is that it was not made clear to any person, including Mr Degan as to why Mr Cecil did not want to attend the inquiry. Submissions made for Mr Cecil, suggest Mr Cecil did not want to attend the inquiry due to his medical circumstance and a requirement to climb stairs to attend the Stewards room. There is no evidence that Mr Cecil at any time raised these matters with Mr Degan or any other official.

33. Further submissions have been made that Mr Degan had a duty of care to Mr Cecil to ascertain if he was fit and well and able to attend the inquiry. Mr Degan indicated that he had formed a view based on Mr Cecil's appearance, that he was in good health, all things considered. The inquiry accepts both parties could have better communicated their respective positions in relation to this aspect however, these matters do not negate Mr Cecil's obligation to comply with a direction of the Stewards.

34. It was also submitted to the hearing, that the inquiry could have been conducted at any time, and did not have to be conducted during the meeting at Grafton on 23 December.

35. It is an accepted convention and customary practice for Stewards in all forms of animal racing to convene inquiries during a race meeting.

36. Whilst it submitted and accepted that the inquiry could have been conducted at any time, or certainly another time, it was a matter which was convenient for the Stewards and in some respects was relevant to the meeting in progress and as such we accept that all things considered, it was reasonable for Mr Degan to convene an inquiry as was proposed, and certainly within his powers.

37. What flows from this, is that Mr Cecil was obliged to attend the Stewards' inquiry. The fact Mr Cecil then chose to fail to comply with a legitimate request or direction from Mr Degan means he has breached Rule 156 (h). We find Charge 3 proven.

38. In relation to Charge 2, based on the evidence it is clear Mr Cecil, in:

- denying a legitimate direction to attend a Stewards inquiry;
- using offensive language towards a Steward; and
- physically assaulting a Steward;

engaged in conduct which was inappropriate.

39. As stated at [22] above, Rule 165(c)(iv) provides that:

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

...

(c) engages in contemptuous, unseemly, improper, insulting, or offensive conduct or behaviour in any manner or form towards, or in relation to:

...

(iv) a Steward or any other official of a Controlling Body or a Club;

40. *Contemptuous* is the adjectival form of the noun contempt, which means to 'wilfully disobey or openly disrespect the rules or orders of a...court or legislative body'<sup>1</sup>. We are satisfied that Mr Cecil's words and actions were *contemptuous* towards a Steward, being Mr Degan.

41. Racing Stewards are well respected members of the racing industry who maintain the integrity of race day operations, overseeing all aspects of racing and wagering within the sport to ensure that the regulations and guidelines are adhered to.

42. More so, Stewards are regulators of the sport. Their role is to ensure, amongst many things, that:

- a. the welfare and well-being of the dogs is paramount;
- b. that all participants are compliant with the rules;
- c. that racing encompasses fair play, for the benefit of both participants and members of the public who may place a bet or wager on a race; and,
- d. the population at large can have confidence in the sport.

43. For Stewards to be able to undertake their duties and deliver these objectives, they must be able to give reasonable directions to participants and have their role and directions both respected and adhered to.

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<sup>1</sup> Dictionary.com – see <https://www.dictionary.com/browse/contempt>

44. It is our view, that on this occasion, Mr Cecil through his actions and words, was neither submissive nor respectful. It is clear, that Mr Cecil's words and actions towards Mr Degan were contemptuous, unseemly, improper, and offensive both in his behaviour and conduct towards a Steward, in this case Mr Degan.
45. We note that Mr Cecil has offered no reasonable excuse for his behaviour, other than he did not want to attend a steward's inquiry due to ill health, and alleged bullying by Mr Degan. We are not satisfied that ill health was ever communicated by Mr Cecil to Mr Degan or any other official. In this regard, Mr Cecil, for a period, sat and chatted to Commission Steward Kearney, but never sought to raise his ill health or an allegation of bullying by Mr Degan.
46. Regardless, the sport of greyhound racing, in fact any sport, would be in anarchy if the officials or regulators of the sport could simply be ignored or disregarded when a participant chose not to comply with a legitimate direction simply on the basis that a participant choose not to comply.
47. It is our view, that on this occasion, Mr Cecil was avoiding having to 'face the music', and when pressed to attend a steward's inquiry, he became irritated and incensed and reacted in an unacceptable and anti-social manner. We find charge ii. proven.
48. The following matters are acknowledged and noted:
- Mr Cecil is aged 72;
  - He is not in great health;
  - He has had a long career in greyhound racing, extending back some 18 years; and,
  - Mr Cecil's disciplinary history is not unblemished including matters for like offences, with previous indiscretions including a prohibited substance offence in 2021, a declaration as a defaulter in 2022, and a misconduct charge in 2023 for insulting an employee of a race club, which will be referred to shortly.
49. However, resorting to physical violence towards an official of the sport is not and never will be an acceptable course of action.
50. Having had regard to all the evidence presented to the hearing and the submissions of Mr Cecil's legal representative, we find Charges 2 and 3 proven and again note Mr Cecil's plea of guilty in relation to Charge 1.
51. As alluded to above, greyhound racing, like all sports, relies upon the sanctity of respecting and obeying officials and regulators to properly operate and function. In the Notice of Charge and Proposed Disciplinary Action of 20 February 2024 the Commission proposed the following disciplinary action:
- Charge 1 (Rule 156 (g)(iv)) - 3 Year Disqualification
- Charge 2 (Rule 165(c)(iv)) - 9 Month Disqualification
- Charge 3 (Rule 156(h)) - 6 Month Suspension



52. Moreover, it is noted that Mr Cecil appeared before Commission’s Stewards in relation to an unrelated matter, which occurred at the Casino Greyhound Racing Track on the 23 February 2023.

53. That matter was determined in an Inquiry held on the 3 March 2023, and was in relation to a breach of Rule 156(g)(iii) at which, Mr Cecil entered a plea of guilty.

54. The Decision Makers in that matter determined to hand down a penalty being:

*“To impose a fine of \$1000, \$500 of which was conditionally suspended for a period of 12 months.”*

55. This suspended penalty, was continuing until the 23 February 2024.

56. The effect of this following our decision in this matter, which incorporates Mr Cecil’s plea of guilty in relation to Charge 1, (also a breach of Rule R156(g)), means that the suspended penalty now crystallises and serves to activate and impose the remaining \$500 fine, which was imposed on the 3 March 2023.

57. We now confirm the following penalties:

Charge 1 (Rule 156 (g)(iv) - twenty seven (27) month Disqualification

(affording a 25% discount for entering a plea of guilty)

Charge 2 (Rule 165(c)(iv) - nine (9) Month Disqualification

Charge 3 (Rule 156(h)) - six (6) Month Suspension,

with all penalties to be served concurrently and the period of disqualification to be back dated, to the date that upon which, the training component or training element of Mr Cecil’s registration was suspended, being 21 December 2023. The period of disqualification will expire on 21 March 2026.

.....End.....