

**DECISION ON AN INTERNAL REVIEW APPLICATION UNDER
SECTION 91 OF THE *GREYHOUND RACING ACT 2017***

Matters for determination	Decision dated 24 April 2023
Internal review decision date	22 May 2023
Internal review decision by	Mr Brenton (Alby) Taylor Chief Commissioner, GWIC
Internal review decision summary	Revoke the decision of 24 April 2023 and instead issue a probationary Owner Trainer registration to Mr Waterhouse for a period of 12 months with a review to occur at that time

REASONS FOR DECISION

1. These are the reasons for the decision following an application by Mr Shane Waterhouse (“**Mr Waterhouse**”) for internal review under the *Greyhound Racing Act 2017* (“**Act**”) of a decision of the Commission’s Application Assessment Panel (“**AAP**”). The original decision was to refuse an application made by Mr Waterhouse for registration as an Owner Trainer.
2. This is a reviewable decision within the meaning of section 91(1) of the Act. I confirm I was not involved in making the original decision, and I am a qualified person in accordance with section 91(5) of the Act. I lastly confirm I have dealt with this application for review.
3. Under section 91(7) of the Act, an internal reviewer is empowered to:
 - Confirm the reviewable decision the subject of the application; or
 - Vary the reviewable decision; or
 - Revoke the reviewable decision.

Background

4. On the 27 April 2023, Mr Waterhouse formally requested a review of a decision made by the AAP made on the 24 April 2023 to refuse an application by Mr Waterhouse for an Owner Trainer registration.
5. Mr Waterhouse has previously held various types of registration within the Greyhound Racing industry. Relevantly, on 6 June 2018 Mr Waterhouse was granted a Public Trainer registration by the Commission.
6. On 15 July 2021 Mr Waterhouse attended at the Casino Greyhound Club, where he approached then assistant manager Mr Luke Mason and slapped him across the face.

7. The Commission took disciplinary action against Mr Waterhouse for this conduct, and he was ultimately disqualified for a period of 2 years, with 6 months conditionally suspended for a period of 12 months. Mr Waterhouse was eligible to reapply for a greyhound racing registration on 10 February 2023.
8. In addition, the NSW Police brought a criminal charge against Mr Waterhouse for this conduct, and applied for an Apprehended Violence Order against him in protection of the victim, Mr Mason.
9. On 18 November 2021 Mr Waterhouse was found guilty of common assault against Mr Mason and was fined \$500.00 by the Casino Local Court.
10. On 18 November 2021 the Court also finalised the Apprehended Violence Order sought in protection of Mr Mason. The order was made for a period of 2 years, and is due to expire on 17 November 2023. The specific orders of this AVO state:
 1. [Mr Waterhouse] must not do any of the following to Luke Donald Mason or anyone he has a domestic relationship with:
 - A) assault or threaten him
 - B) stalk, harass or intimidate him, and
 - C) intentionally or recklessly destroy or damage any property or harm an animal that belongs to or is in the possession of Luke Donald Mason.
 2. [Mr Waterhouse] must not go into:
 - A) any place where Luke Donald Mason lives, or
 - B) any place where he works, or
 - C) any place listed here: Casino Greyhound Racing Club.
11. After serving the required period of disqualification, on 13 February 2023 Mr Waterhouse applied to the Commission for an Owner Trainer registration.
12. The application was considered by the AAP, who determined that the application for registration should be refused. The AAP issued correspondence advising Mr Waterhouse of that decision dated 24 April 2023.

Internal Review Application

13. Mr Waterhouse has now applied for an internal review of the original decision of the AAP to refuse him an Owner Trainer registration.

14. The internal review has been conducted on the papers.
15. As the internal reviewer, I have had regard to all the evidence considered by the AAP. I have referenced the following materials including:
- Application for an Owner Trainer registration submitted by Mr Waterhouse on 13 February 2023;
 - A series of seven (7) pictures provided in support of the application by Mr Waterhouse;
 - Digital national police certificated marked NSWPF-2023-135779 relating to Mr Waterhouse;
 - The registration and disciplinary history of Mr Waterhouse;
 - Final Order of an Apprehended Personal Violence Order taken out against Mr Waterhouse dated 18 November 2021;
 - Application refusal letter dated 24 April 2023.

Decision

16. Mr Waterhouse seeks a review of a decision made by the AAP made on the 24 April 2023 to refuse an application by Mr Waterhouse for an Owner Trainer registration ("**Decision**").
17. I have had regard to all the evidence, as itemised at paragraph 15.
18. In determining the matter as an Internal Review under Section 91 of the Act, I must consider the reviewable decision under the Act. The decision I consider reviewable in this instance is the decision of the AAP to refuse an Owner Trainer registration application made by Mr Waterhouse.
19. Considering all the evidence and the submissions made by Mr Waterhouse, I am satisfied that I should revoke the decision made by the AAP on 24 April 2023.
20. In accordance with section 91(7)(c) of the Act, I revoke the decision to refuse an Owner Trainer registration for Mr Waterhouse and instead grant him a probationary Owner Trainer registration for a period of 12 months.



Brenton (Alby) Taylor
Chief Commissioner