

GREYHOUND WELFARE & INTEGRITY COMMISSION
SUMMARY OF DISCIPLINARY ACTION DECISION

Date of decision:	31 July 2019
Decision-maker:	Chief Executive Officer, Judith Lind
Name of relevant person:	Mr Charles Sultana
Track:	N/A – Non-meeting
Rule no:	Rule 95(8)(a)(i)
Charge(s):	(1) Mr Charles Sultana, a registered participant at the material times being on 3 and 9 July 2018, has been convicted of seven (7) offences under section 5(3)(c) of the <i>Prevention of Cruelty to Animals Act 1979</i> (NSW) by the Blacktown Local Court on 13 June 2019 for the failure to provide veterinary treatment to 12 greyhounds for a number of conditions resulting in the surrender of these greyhounds to the RSPCA NSW.
Disciplinary action taken:	Disqualification for life

DECISION:

1. In July 2018, the Commission, with the assistance of RSPCA NSW, commenced an investigation into the circumstances which led to a total of 21 greyhounds being seized by RSPCA NSW from Mr Sultana's property on 3 and 9 July 2018. The investigation was RSPCA-led and resulted in Mr Sultana being charged by the RSPCA NSW with seven (7) offences under the *Prevention of Cruelty to Animals Act 1979* (NSW) in 2018.
2. Mr Sultana entered a plea of guilty to each charge on 2 May 2019.
3. On 13 June 2019, Mr Sultana's matter was before the Blacktown Local Court for sentencing and:
 - For each charge he was convicted and fined (a total amount of \$2,800);
 - The Court ordered a moiety to RSPCA NSW; and
 - The Court imposed a prohibition order where he cannot purchase, acquire, take possession or custody of a greyhound for a period of five (5) years pursuant to section 31(1)(b) of the *Prevention of Cruelty to Animals Act 1979* (NSW).
4. After considering the evidence, the Commission notified Mr Sultana of a proposed charge under Rule 95(8)(a)(i) in writing, which reads:

Rule 95 Penalties

...

(8) The Controlling Body may impose on a person anyone or more of the penalties referred to in sub-rule (1) if -

- (a) the person has been convicted of an offence by any court and the Controlling Body is satisfied that:
 - (i) the nature of the offence is such that the person's continued participation or association with greyhound racing would be detrimental to the proper control and regulation of greyhound racing.

5. Mr Sultana was legally represented, but did not to provide any written submissions in reply to the proposed disciplinary action.
6. The Commission considered all the available material and found the charge proven.
7. Having been satisfied the nature of the seven (7) offences under the *Prevention for Cruelty to Animals Act 1979* (NSW) for which Mr Sultana was convicted on 13 June 2019 by the Blacktown Local Court are such that Mr Sultana's continued participation or association with greyhound racing would be detrimental to the proper control and regulation of greyhound racing, the Commission took the following disciplinary action against Mr Sultana:

To disqualify his registrations for life.

8. In taking this disciplinary action, the Commission considered all evidence, including:
 - a. The nature of and circumstances surrounding the seven (7) offences under the *Prevention of Cruelty to Animals Act 1979* (NSW);
 - b. Mr Sultana's registration and disciplinary history;
 - c. NSW greyhound racing penalty guidelines and precedents.

.....End.....