

GREYHOUND WELFARE & INTEGRITY COMMISSION

DISCIPLINARY ACTION DECISION

Date of decision:	25 Novmber 2020
Decision-maker:	Interim Chief Executive Officer, Steven Griffin
Name of relevant person:	Mrs Susan Gray
Track:	N/A – non meeting
Date:	18 August 2018
Rule no.:	Rules 86(n)
Charge(s):	(1) On 18 August 2018, Mrs Gray knowingly aided another participant to commit a breach of the clause 4.1 of the <i>GWIC Greyhound Re-homing Policy</i> dated 2 July 2018.
Disciplinary action taken:	20-week suspension (wholly and conditionally suspended)

DECISION:

1. Mrs Gray was at all material times a registered greyhound racing industry participant.
2. On 2 July 2018, GWIC implemented the *GWIC Greyhound Re-homing Policy* (“**2018 Policy**”), now superseded. Clause 4.1 of the 2018 Policy reads:

In order to meet re-homing requirements, at a minimum greyhound owners must do at least two of the following:

- Seek the greyhound’s admission to the Greyhounds As Pets program managed by Greyhound Racing New South Wales;
- Seek to re-home the greyhound through at least one other pet rescue or re-homing organisation; and
- Seek to re-home the greyhound privately, through at least two other unrelated parties, or seek the greyhound’s admission to the Greyhounds As Pets program a second time.

The minimum re-homing requirements referred to above do not apply in the following circumstances:

....

- Where a greyhound is certified by a registered veterinary practitioner a unsuitable for re-homing due to untreatable behavioural problems...
- Where a greyhound is deemed by a registered veterinary practitioner to be suffering from an intractable condition or injury that causes significant pain or

discomfort or a marked reduction in quality of life, such that it is inhumane or would otherwise compromise the welfare of the greyhound to delay euthanasia; or

- Where a greyhound is legally required to be euthanased (e.g. by a court order).
3. On 20 August 2018, GWIC received a *Notification of Intent to Euthanase Greyhound* form dated 12 August 2018, relating to the proposed euthanasia of the greyhound, 'Peggy Olson' ("**Greyhound**"). This declaration was signed by Mrs Gray, and Miss Tegan Gray ("**Miss Gray**") had also signed as the owner of the Greyhound. The form was accompanied by an uncompleted *Greyhound Re-homing Unsuitability* form. The euthanasia was proposed to be carried out on 25 August 2018.
 4. On or around 20 August 2018, Miss Gray was contacted by a GWIC Support Officer and advised that the *Notification of Intent to Euthanase Greyhound* form had been rejected and that the request to euthanise had been denied.
 5. On or around 20 August 2018, the GWIC Support Officer contacted the veterinarian proposed to carry out the euthanasia of the Greyhound and advised them that the request to euthanase the greyhound had been refused. The veterinarian advised that the Greyhound had already been euthanased on 18 August 2020.
 6. After considering the evidence following the completion of the Commission's investigation, the Commission charged Mrs Gray with a breach of Rule 86(n), which read:

Rule 86(n)

A person (including an official) shall be guilty of an offence if the person-

...

(n) knowingly aids, abets, counsels or procures a person to commit a breach of these Rules;

7. Mrs Gray denied the charge, provided submissions and elected to have the disciplinary proceeding conducted in writing.
8. Mr Griffin, Interim CEO, took over as decision-maker of the matter in November 2020, partway through the proceedings, with the consent of Mrs Gray.
9. It was also alleged that Mrs Gray had improperly signed and lodged a form relating to the proposed euthanasia of the Greyhound, however after considering the evidence this charge under Rule 86(o) was found not proven.
10. The Commission found the charges under Rules 86(n) proven and Mrs Gray formally guilty of the offence on the following basis:

It was found, on the balance of probabilities, that:

- The presentation of the Greyhound by Mrs Gray on behalf of Miss Gray to the veterinary clinic on 18 August 2018, during which it was euthanased,

occurred in the absence of any rehoming attempts in accordance with the 2018 Policy;

- The Greyhound had not been certified as unsuitable for rehoming by a registered veterinary practitioner due to an untreatable behavioural problem and on that basis there was no exemption to the application of the 2018 Policy.

11. The Commission took the following disciplinary action against Mrs Gray:

To suspend her registration for a period of 20 weeks, wholly suspended for a period of 12 months on the condition that Mrs Gray does not breach Rule 86(n), Rule 86(ag) or a similar rule in that 12-month period;

12. In taking this disciplinary action, the Commission considered all evidence, including:

- Greyhound racing penalty precedents – in NSW and other racing jurisdictions;
- Mrs Gray has been a registered participant in the NSW greyhound racing industry for approximately 39 years;
- Mrs Gray’s disciplinary history does not include any like matters;
- Mrs Gray’s written submissions in mitigation of penalty, including in relation to her good character, contributions to the industry and the particular circumstances which led to the euthanasia of the Greyhound, including that the Greyhound was aggressive and despite rehoming organisations were not available in the local area the Greyhound was unsuitable for any form of rehoming.

.....End.....