

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

Matter for determination	Decision dated 10 March 2025 of Steward Boyce-Mortlock
Applicant	Ms Chloe Bilal
Internal review decision date	16 April 2025
Internal review decision by	Mr Brenton (Alby) Taylor, Chief Commissioner
Internal review decision summary	To vary the decision of 10 March 2025

REASONS FOR DECISION

1. These are the reasons for decision following an application by Ms Chloe Bilal for internal review under the *Greyhound Racing Act 2017* (**Act**) of a decision of Steward Boyce-Mortlock of the Greyhound Welfare & Integrity Commission (**Commission** or **GWIC**). That decision was to find her guilty of two offences under the Greyhound Racing Rules (**Rules**) and impose a disqualification upon her.
2. This is a reviewable decision within the meaning of section 91(1) of the Act. As I was not involved in making the reviewable decision, I have dealt with this application.
3. Under section 91(7) of the Act, an internal reviewer is empowered to:
 - a. Confirm the reviewable decision the subject of the application; or
 - b. Vary the reviewable decision; or
 - c. Revoke the reviewable decision.

Background

4. In November 2021, a condition was imposed on Ms Bilal's registrations requiring her to install CCTV at her registered kennel address (**Property**) and to provide access to this footage to the Commission, upon request.
5. In April 2024, the Commission became aware a greyhound racing industry participant who was suspended, with conditions upon him, (which restricted him from attending any place where greyhounds are kept, trained or raced), had attended the Property.
6. The Commission commenced an investigation, and as a result, requested Ms Bilal provide footage from the CCTV system she was required to have installed and properly functioning at the Property.

7. Whilst Ms Bilal did have a CCTV system installed at the Property; she was unable to provide the Commission with the footage from the CCTV following a legitimate demand from the Commission.

Disciplinary action

8. On 1 July 2024, the Commission issued a notice of charge and proposed disciplinary action (**Notice**) to Ms Bilal. The Notice contained two charges. The first charge was issued under Rule 156(b), and alleged Ms Bilal failed to comply with a condition of her registration. The relevant rule Ms Bilal was charged under is as follows:

Rule 156(b)

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

...

(b) fails to comply with any conditions:

(i) of the person's registration or license as an owner, trainer, attendant or any other category of registration or license;

9. The second charge was issued under Rule 156(f)(ii), and alleged Ms Bilal acted improperly by directly or indirectly permitting or allowing a suspended person (who was subject to restrictions) to attend her Property. The relevant rule Ms Bilal was charged under reads as follows:

Rule 156(f)(ii)

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

...

(f) has, in relation to a greyhound or greyhound racing, done something, or omitted to do something, which, in the opinion of a Controlling Body or the Stewards:

...

(ii) constitutes misconduct or is negligent or improper.

10. The Notice proposed penalties for the charges as required by the Act, and invited Ms Bilal to attend a hearing and make submissions in relation to the charges and the proposed penalties.
11. Ms Bilal's solicitor entered pleas of not guilty on her behalf, and made submissions in writing in respect of the charges.
12. On 10 March 2025, the charges were found proven, and a thirteen (13) month disqualification was imposed for charge one, and a six (6) month disqualification for charge two.
13. Steward Boyce-Mortlock determined the penalties should be served concurrently, with the commencement date of the penalties being backdated to 28 May 2024, the date upon which Ms Bilal was interim suspended by the Commission in respect of this matter.

14. Steward Boyce-Mortlock's decision meant the thirteen (13) month disqualification period imposed for Charge 1 is to expire 27 June 2025. It also means the six (6) month disqualification period for Charge 2 has already been served and expired on 27 November 2024.

The internal review application

15. On 17 March 2025, Ms Bilal's solicitor lodged an application for internal review on her behalf. The internal review was conducted on the papers.
16. On 4 April 2025, Ms Bilal's solicitor also lodged an application for a stay of the 10 March decision, which an internal reviewer is empowered to determine under section 91(4) of the Act. On 10 April 2025 I wrote to Ms Bilal, refusing to grant the stay.
17. Ms Bilal's internal review application is in respect of both the charges, as well as the penalties imposed.
18. Below are my reasons in respect of this internal review application.

Decision

19. In considering this internal review, I have had regard to the following:
- a. The material before Steward Boyce-Mortlock;
 - b. The internal review application; and
 - c. The submissions made in support of the internal review application.

Charge One

20. When considering whether Charge One is established, I have had reference in particular to the correspondence between GWIC and Ms Bilal in November 2021. That correspondence proposed the imposition of a condition upon Ms Bilal's licence, which Ms Bilal accepted.
21. The terms of that condition was for Ms Bilal to install CCTV system at a suitable and agreed upon location at her greyhound kennels and associated training areas, and footage captured by that CCTV system to be provided to the Commission upon request.
22. On 6 May 2024, Ms Bilal was interviewed by Commission Inspectors about the attendance of a restricted person at the Property. During the course of that interview, the following exchange occurred:

Inspector: Okay. So, if we did need to come out and have a look at the cameras, for that day, can you make sure that that's not deleted or anything?

Ms Bilal: Yep.

23. On 14 May 2024, Commission Inspectors contacted Ms Bilal via text message, advising her:

Inspector: Hi Chloe it's [Inspector] from GWIC, need to download data from your cameras. Call me ASAP we can come back today. It shouldn't take long.
24. Later on 14 May 2024, Commission Inspectors were granted access to the CCTV system at the Property, but were unable to obtain a copy of the footage sought.
25. On 16 May 2024, the Commission wrote to Ms Bilal and formally directed her to provide a copy of all footage captured by the CCTV system between 4 May 2024 and 14 May 2024 to the Commission. She was required to do so by 22 May 2024.
26. On 20 May 2024, Ms Bilal was granted an exemption to comply until 27 May 2024.
27. On 27 May 2024, Ms Bilal's solicitor made submissions to the Commission, advising:
 - a. Ms Bilal had installed the cameras as required by the condition;
 - b. Commission Inspectors had arrived on 14 May 2024 and were unable to recover the footage;
 - c. Ms Bilal arranged for a technician to attend the property on 20 May 2024 who advised the hard drive was faulty and required replacing. It was replaced on this date.
 - d. In the above circumstances, the Commission should not take any further steps against Ms Bilal.
28. As outlined above, following Ms Bilal's failure to provide the footage, the Commission on 1 July 2024 issued Charge One and on 10 March 2025, found the charge proven, imposing a disqualification of 13 months.
29. As part of her internal review application, Ms Bilal's legal representative made submissions in support of that application. In respect of Charge One, Ms Bilal submitted, in summary that:
 - a. She did not fail to meet the condition of her licence;
 - b. When Inspectors attended the Property on 14 May 2024, she provided access to her Property, the computer system and the footage;
 - c. Inspectors "tampered" with the CCTV system and "locked themselves out of the program";
 - d. Ms Bilal subsequently experienced issues downloading the footage and engaged a technician, who was also unable to recover the footage;
 - e. This unknown technical issue was not in Ms Bilal's knowledge or control; and

f. Ms Bilal has not committed any offence.

30. I have considered these submissions. I agree with Ms Bilal's submission that she complied with the part of the condition requiring her to install CCTV at her Property. It is clear she did so.
31. However, Ms Bilal failed to provide footage to the Commission when requested. This is a breach of the second part of her condition.
32. I am satisfied on the evidence that Ms Bilal breached Rule 156(b) of the Rules, and find the charge proven.

Penalty

33. The condition imposed by the Commission on Ms Bilal is one which is done very sparingly. Requiring a participant to install CCTV at their registered kennel premises is done in specific circumstances where the Commission has concerns relating to the integrity of the industry, or the welfare of greyhounds.
34. Ms Bilal has the privilege of holding a licence within the greyhound racing industry. As part of that privilege, she was required to comply with this condition. Her failure to do so in this circumstance was, objectively serious.
35. However, the objective seriousness of this offence is mitigated by Ms Bilal's submissions as to the technical failures of the system, something she was not aware of. I find this to be a strong factor in her favour. I am of the view that a period of disqualification is appropriate for this type of offending, on the basis the condition was imposed to protect the integrity of the industry. However, I am of the view that a disqualification of thirteen (13) months is not proportionate to the offending.
36. Accordingly, I vary the penalty imposed upon Ms Bilal to that of a six (6) month disqualification. This penalty should commence from 10 March 2025, being the date Steward Boyce-Mortlock imposed the disciplinary action upon Ms Bilal.
37. However, I note Ms Bilal has already served a period of 87 days under interim suspension: from 28 May 2024 until 23 August 2024. Accordingly, I take that period of time into account as "time served". The remainder of the disqualification period will be required to be served by Ms Bilal, and will expire at 11:59pm on 15 June 2025.

Charge Two

38. When considering whether Charge Two is established, I have had regard to the evidence before the Commission.

39. I note the only evidence that a restricted person attended the Property is the following interaction between the Commission's Inspectors and Ms Bilal:

Inspector: Okay. And [restricted person] was also on that – on your property. He's currently De-Q'd and cannot be around any greyhounds. What did that look like when he was at the property the other day, with the greyhound dog food? Sorry, the dog food?

Ms Bilal: I don't know. He was, obviously, with Ali. Maybe he was dropping the bags off. I don't know.

40. In answering a question from a Commission Inspector, Ms Bilal, in my view, concedes that the restricted person attended the Property. However, I am not comfortably satisfied on the evidence before me that Ms Bilal directly or indirectly permitted or allowed him to do so.

41. Accordingly, I revoke Charge Two and the penalty imposed.

Summary

42. In accordance with section 91(7)(a) of the Act, having reviewed all of the material, I vary the original decision made by Steward Boyce-Mortlock on 10 March 2025.
43. As outlined above, Ms Bilal will be required to serve a period of disqualification of six (6) months for Charge One, with such period of disqualification to expire at **11:59pm on 15 June 2025**.

Brenton (Alby) Taylor
Chief Commissioner

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