

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

Matter for determination	Decision of Application Assessment Panel dated 12 June 2024
Applicant	Mr Terry Gordon Craig
Internal review decision date	15 August 2024
Internal review decision by	Chief Commissioner Brenton (Alby) Taylor
Internal review decision summary	To confirm the decision of the Commission's Application Assessment Panel made on 12 June 2024 to refuse Mr Craig's application for registration.

REASONS FOR DECISION

1. Set out below are the reasons for my decision in relation to the application by Mr Terry Gordon Craig ("**Mr Craig**") for internal review under the *Greyhound Racing Act 2017* ("**Act**") of a decision made by the Commission on 12 June 2024.
2. The decision of the Commission was made by the Application Assessment Panel ("**Panel**"), which determined to refuse Mr Craig's application for registration as a Kennel and Track Attendant ("**Application**").
3. 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.
4. Under section 91(7) of the Act, an internal reviewer is empowered to:
 - Confirm the reviewable decision; or
 - Vary the reviewable decision; or
 - Revoke the reviewable decision, which is the subject of the application.

Background

5. Mr Craig is a registered participant, having been first registered as a 'Owner Trainer' in the year 1975. As such, he has been a greyhound industry participant for a period of just under 50 years.
6. On 20 May 2024, Mr Craig applied for a '*Kennel and Track*' attendant registration with the Commission. His application noted he had been charged with a criminal offence in the past, in his words, a "Romance Scam – Concluded".

7. The Application was referred to the Commission's Application Assessment Panel ("**Panel**"). On 12 June 2024, the Panel considered the Application.
8. When considering the Application, the Panel had reference to the Commission's Fit and Proper Person Framework, which provides guidance to both applicants and decision makers regarding the Commission's administration of the requirement of section 47 (1) of the Act. Section 47(1) outlines that the Commission is to:

"...exercise its registration functions under this Division so as to ensure that any person registered by the Commission is a person who, in the opinion of the Commission, is a fit and proper person to be registered (having regard in particular to the need to protect the public interest as it relates to the greyhound racing industry)."
9. On 15 June 2024 the Commission advised Mr Craig his Application had been rejected on the following grounds:
 - Criterion 10 of the Fit and Proper Person Framework - Applicant was previously convicted of a serious offence involving dishonesty offences.
10. Mr Craig was advised of this decision via email.

The internal review application

11. On 19 July 2024, Mr Craig lodged an application for an internal review of the decision made on 12 June 2024.
12. In support of his internal review application, Mr Craig states the criminal conviction on his record was something out of his control and he is otherwise a decent person with a clean disciplinary record.

Decision

13. In considering as to whether the refusal of Mr Craig's registration as a Kennel and Track Attendant was appropriate, I have had regard to:
 - Mr Craig's initial application for registration; and Mr Craig's National Police Criminal History Check.
 - The original written decision of the Panel including the Panel's reasoning, which was sent to Mr Craig via email on 15 June 2024.
 - Mr Craig's application for an internal review and supporting evidence, dated 19 July 2024;
 - Mr Craig's antecedents with the Commission (including his current registration as a "Public Trainer"; and
 - The *Greyhound Racing Act 2017* and Commission's Fit and Proper Person Framework.

14. The Framework clearly states that applications for registration will be considered on a case-by-case basis. The fitness of persons who have a criminal history or any criminal conviction will be carefully considered when making a decision regarding their registration in the industry.
15. In the context of Mr Craig, I note he has no adverse history as far as rule breaches within the greyhound racing industry. However sadly, his recent criminal convictions are the matters of concern in this instance.
16. I note Mr Craig appeared before the Parramatta Local Court on the 1 November 2021, where he was convicted of five dishonesty offences which in summary include:
 - (i) Recklessly deal with proceeds of crime >\$5000-t1;
 - (ii) Recklessly deal with proceeds of crime >\$5000-t1;
 - (iii) Recklessly deal with proceeds of crime >\$5000-t1;
 - (iv) Recklessly deal with proceeds of crime >\$5000-t1;
 - (v) Recklessly deal with proceeds of crime <=\$5000-t2.
17. In relation to matters (i) through (v) as above, an “all grounds appeal” was lodged by Mr Craig in relation to each conviction. These appeals were heard in the Parramatta District Court on 11 March 2022 where the Court, confirmed the conviction and penalty for each matter.
18. I have had regard for Mr Craig’s submission, as to his lengthy tenure and stature as a “Master Mason” and his good character more generally.
19. Moreover, I have considered Mr Craig’s submissions concerning his convictions. The fact of the matter is:
 - a. these are serious matters involving dishonesty;
 - b. they are significant due to the quantum involved;
 - c. I am unaware of the specific details and facts of the matters as determined by the Court (excepting the submissions made by Mr Craig in his Application for Internal Review);
 - d. the Parramatta Local Court found the offences proven; and
 - e. the Parramatta District Court, upheld both the convictions and the penalty determinations of the Local Court.
20. The convictions and penalties imposed by the above Courts, were and remain a matter of record. It is not for me, to reconsider those determinations. For these reasons, I disregard the submissions of Mr Craig concerning his Court outcomes.
21. Additionally, the registration sought by Mr Craig, is a person who operates as a race official which due to the nature of the role, carries with it a higher status than other registrations in that, a race official has responsibilities at race meetings that have a strong integrity element. This includes being responsible for securing race bay kennels, swabbing kennels and otherwise assisting stewards and other race officials with other important integrity functions.

22. A conviction for an offence of dishonesty, or involving reckless dishonesty, such as the offences committed by the Applicant, must be looked at in this light. The Commission considers the elevated status of a race official to be one which creates a higher 'fitness and proprietary' bar for an applicant to meet – and in this case the Applicant does not meet that threshold.
23. For these reasons, I confirm the decision of the Panel to refuse Mr Craig's registration as a Kennel and Track Attendant under Criteria 10 of the Fit and Proper Person framework.

Brenton (Alby) Taylor, MPPA, Dip Law (LPAB), GDLP, GCAM, GAICD
Chief Commissioner

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