IN THE RACING APPEALS TRIBUNAL

ROBERT BLAKELY
Appellant

v

GREYHOUND WELFARE AND INTEGRITY COMMISSION
Respondent

REASONS FOR DETERMINATION

DATE OF HEARING 2 June 2026

DATE OF DETERMINATION 2 July 2026

APPEARANCES

The Appellant appeared in person

Mr B Gillies for the Respondent

ORDERS

1. **The appeal is upheld.**
2. **The penalties imposed at first instance are quashed.**
3. **In lieu thereof the following penalties are imposed.**
   (a) **In respect of the charge contrary to LR34B(3), a disqualification of 4½ months commencing on 24 March 2026 and expiring on 8 July 2026.**
   (b) **In respect of the charge contrary to r 24(1), a suspension of 3 months commencing on 24 April 2026 and expiring on 23 July 2026.**
4. **The appeal deposit is to be refunded.**

INTRODUCTION

1. By a Notice of Appeal dated 30 March 2026, Robert Blakely (the Appellant) has appealed against a determination of the Greyhound Welfare and Integrity Commission (the Respondent) imposing a disqualification of 9 months, and a suspension of 4 months, for breaches of the Greyhound Racing Rules (the Rules). Those penalties were ordered to be served cumulatively.

2. The parties provided a Tribunal Book (TB) containing all relevant documentary evidence.

3. The sole issue on the appeal is that of penalty, the Appellant's position being that the penalty imposed is too severe.[1]

THE RELEVANT PROVISIONS OF THE RULES

4. There are two particular provisions of the Rules which are relevant for present purposes.

5. Firstly, Local Rule 34B(3) is in the following terms:

> ***Local Rule 34B Provision of information relating to a greyhound***
> *(3) An offence is committed if a person fails to adequately account for the whereabouts of a greyhound.*

6. Secondly, Rule 24 is in the following terms:

> ***Rule 24 Mandatory sterilisation of greyhounds retired as pets***
> *(1) Unless a greyhound is being accepted by an adoption agency approved by a Controlling Body that undertakes sterilisation, the owner or person responsible for the greyhound at the time of such retirement as a pet must ensure that the greyhound has been surgically sterilised by a veterinarian before allowing the greyhound to leave their care and custody, except where a veterinarian certifies after examining that greyhound, to the satisfaction of a Controlling Body, that being surgically sterilised would be detrimental to its welfare.*

[1] Transcript 7.12.

FACTUAL BACKGROUND

7. On 6 April 2023, the Appellant became the registered trainer of the greyhounds *Pine Bark, Jarrah* and *Silvertail* (the greyhounds). The greyhounds were in the registered ownership of Mr Pierre Farrugia (Farrugia).[2]

8. Sometime between 3 September 2023 and 30 September 2024, the Appellant, through an intermediary he met at the Richmond racecourse on or about 3 September 2023, made arrangements for the Greyhounds to be transferred to an interstate-based trainer, Ruth Baird (Baird).

9. On 30 September 2024, Farrugia lodged a Greyhound Owner Transfer Application with the Respondent. The transfer application:

    1. stated that the greyhounds had been transferred to Baird at an address in South Australia;
    2. listed the greyhounds' status as 'racing'; and
    3. nominated the date on which the transfer had occurred as 20 September 2024.

10. On 2 July 2025, the Respondent made enquires with Greyhound Racing South Australia (GRSA) as to the transfer of the greyhounds into Baird's name. On 3 July GRSA notified the Respondent that their officers had attended 59 Ninth Avenue, Joslin SA but could not locate any of the greyhounds, or Baird.[3]

11. On 3 November 2025, the Appellant was interviewed.[4] On that occasion, he explained that the greyhounds *"got picked up by a guy that [he'd] never met"* who said that *"they were going to Adelaide"* and that this *"was the last time [he] saw them".*[5] He said that this had been organised by a *"lady at the racetrack".*[6] The Appellant explained that he had assumed that this lady was a trainer, that the

[2] TB 62.
[3] TB 59.
[4] Commencing at TB 37.
[5] Q and A 6.
[6] Q and A 17.

greyhounds were going to be taken to Adelaide to race, and that he had told her that they were "*very average*".[7]

12. It is of some significance that Ms Teece, who was interviewing the Appellant on behalf of the Respondent, effectively identified the Appellant as the victim of (for want of a better word) a "scam", telling him that *"unfortunately [he had] been caught up in this"*.[8] It is evident that the Respondent has identified the person who arranged for the collection of the greyhounds, but apparently has not been able to curtail her activities.[9]

13. Farrugia was interviewed by Ms Teece on the same day.[10] He said that the greyhounds were *"sent to a lady that wanted them in South Australia, a trainer, and everything was done properly"*.[11] He went on to say:

> *We transferred it all, did all the paperwork, sent it across, and my trainer, Robbie, he – he – Blakely, he actually put them – sent them to her as well. So, it was all – yeah, it was all done, and then I kept on getting reminders from GWIC and saying about these dogs. And, I said 'The dogs have gone'. And that's where I contacted – and I've told that New South Wales that I've already sent them and they're all gone – gone and it's all been take care of.*

14. Ms Teece explained to Farrugia that the person suspected of having taken the greyhounds was prone to providing *"false everything"*[12] when she would approach people. Farrugia said he knew nothing about those matters at all[13] and was under the impression that the woman was a registered trainer.[14]

<u>THE CHARGES</u>

15. On 13 February 2026, the Respondent wrote to the Appellant[15] advising him of two proposed charges. The first was in the following terms:

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[7] Q and A 30.
[8] Q and A 34; 42.
[9] See Q and A 26 and following.
[10] Commencing at TB46.
[11] Q and A 18.
[12] Q and A 131.
[13] Q and A 60; 63.
[14] Q and A 74.
[15] TB 24.

Charge 1 – Local Rule 34B(3)
That [the Appellant), at all relevant times, a registered Public Trainer with the Greyhound Welfare and Integrity Commission in the opinion of the Controlling Body, committed an offence in circumstances where:

1. *[He was], at all relevant times, the trainer of the greyhounds Pine Bark, Microchip 956000014488954, Jarrah, Microchip 56000011652109 and Silver Tail, Microchip 956000014491120 ("Greyhounds").*
2. *On a date unknown [he] entered into an arrangement by which [he] would transfer the Greyhounds into the ownership of an interstate based person by the name of Ruth Baird.*
3. *On Monday 30 September 2024 GWIC Registration received a transfer request for the Greyhounds to be transferred to a new interstate owner, Ruth Baird, at 29 Ninth Avenue Joslin SA 5070.*
4. *The Controlling Body was subsequently unable to confirm the identity of the new owner or the location of the Greyhounds.*
5. *[He] accordingly failed to adequately account for the whereabouts of the Greyhound.*[16]

16. The second was in the following terms:

Charge 2 – Rule 24(1)
That [the Appellant), at all relevant times, a registered Public Trainer with the Greyhound Welfare and Integrity Commission ("the Commission"), in the opinion of the Controlling Body, committed an offence in circumstances where:

1. *[He was], at all relevant times, the trainer of the greyhounds Pine Bark, Microchip 956000014488954, Jarrah, Microchip 56000011652109 and Silver Tail, Microchip 956000014491120 ("Greyhounds").*

2. *On a date unknown [he] entered into an arrangement by which you would transfer the Greyhounds into the ownership of an interstate based person named Ruth Baird.*

3. *On Monday 30 September 2024 GWIC Registration received a transfer request for the Greyhounds to be transferred to a new interstate owner.*

4. *The Greyhounds had not been surgically sterilised prior to this.*

5. *Retiring the Greyhounds without being surgically sterilised, in circumstances not approved by the Controlling Body, constitutes a breach of Rule 24(1) of the Rules.*

17. The scheduled hearing proceeded in the Appellant's absence. He was notified of the proposed penalties by letter of 23 February 2026.[17] That notification evidently reached him.

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[16] It is noted that the address in [3] may be incorrect. See TB 59.
[17] TB 29.

18. On 18 March 2026 Farrugia sent the following letter to the Respondent:[18]

> *I was the owner of the dogs Pine Bark and Silvertail, trained by Robert Blakely in September 2023.*
>
> *The dogs only had two races, where they performed poorly.*
>
> *Robert and I discussed and agreed that they were unsuitable for NSW Metropolitan racing, and it would be best for the dogs if we looked to rehome them.*
>
> *Robert rang me a few days later to discuss that other trainers at a Richmond race meeting recommended a person believed to be taking dogs to Adelaide for country racing where their ability would be more suited.*
>
> *I agreed with Robert and instructed him to hand the dogs over and I processed a transfer of ownership via GWIC.*

19. By letter of 26 March 2026,[19] the Respondent advised the Appellant of the imposition of the following penalties:

    1. For the charge contrary to LR34B(3) – a disqualification of 9 months commencing on 24 March 2026 and expiring on 23 December 2026.

    2. For the charge contrary to r 24(1) – a suspension of 4 months commencing on 24 December 2026 and expiring on 23 April 2027.

20. Whilst this hearing proceeds *de novo* it is worth noting that the matters taken into account in determining penalty[20] included the Appellant's failure to attend the hearing, and his lack of plea or any submissions in respect of the charges. The inference is that those matters were taken into account in a manner which was adverse to the Appellant. As set out below, the Appellant asserts, and I accept, that he was not aware of the hearing because the notice was sent to the wrong address.

[18] TB 20.
[19] TB 30 – 31.
[20] TB 36 at [10].

SUBMISSIONS OF THE PARTIES

Submissions of the Appellant

21. The Appellant made the following statement in support of his appeal:[21]

> *The greyhounds in question, Pine Bark and Silvertail, were trained by me for the owner Mr Pierre Farrugia, a registered owner with GWIC and remains so to this date. I was contacted by Mr Farrugia and informed the greyhounds had been sold to a contact of his for transport to South Australia for the purpose of continuing their racing careers. I was instructed by the owner to hand over the greyhounds to the buyers. I was of the belief that the owner, Mr. Farrugia, had done the due diligence and confirmed the bona fides of the purchaser.*
>
> *I understand that not having checked this information myself, I am partly responsible for the greyhounds going to a non registered person and as the information passed on to me indicated the greyhounds were coming to continue their racing careers in South Australia there was no need to have them desexed as would have been necessary for transfers as pets.*
>
> *As indicated in the letter from Mr. Farrugia, I believe the stewards have erred in reading the word 'rehome' as often used when greyhounds are passed on to greyhounds as pets for rehoming as pets.*
>
> *In view of my previous record of only one offence for administering caffeine, which was over 18 years ago, and as I was not the person who transferred the greyhound to the buyer, I simply followed the instruction of the owner who completed the transfer information via the GWC e trac system, I feel the sentence is severe. I am aware that I must accept some responsibility for this error, however 12 months disqualification for following the owner's instructions seems very severe, and four additional months for not desexing greyhounds, which I was informed were intended for racing, is unjustified.*
>
> *I ask that this be overturned and my disqualification be amended to a suspension. This will allow me to assist my wife Robyn with the care of her greyhounds and our recently whelped litter of seven pups.*

Submissions of the Respondent

22. The Respondent stressed the importance of the maintenance of an accurate register which allows it to monitor the whereabouts, ownership status, and health of greyhounds.[22] It was submitted that all participants have an obligation to carry out due diligence so as to ensure that any proposed transferee is genuine, identifiable, and holds the necessary registration.[23] That obligation, it was submitted, is highlighted in circumstances where a greyhound is to be transferred

[21] TB 6 – 7.
[22] At [16].
[23] At [18].

interstate.[24] It was submitted that when such steps are not taken, the integrity and reliability of the register is necessarily undermined, and that this, in turn, has the capacity to create an unacceptable welfare risk.[25]

23. With these matters in mind, it was submitted that the offences committed by the Appellant compromised the Respondent's ability to properly carry out its regulatory functions, and that his failures warranted the imposition of a significantly severe penalty which firstly, marked the seriousness of his conduct and secondly, acted as a deterrent, both to the Appellant specifically and industry participants generally.[26]

CONSIDERATION

24. There is no doubt that any act or omission which interferes with the Respondent's ability to properly regulate the greyhound racing industry is of significance, and should be regarded as serious. The Appellant accepts that he clearly failed to act with due diligence. However, he has submitted that for the reasons advanced, he had at least some reason to believe that the transaction was a genuine one, and that the person concerned was an industry participant.

25. The Appellant's belief appears to have had at least some basis. It is evident from statements made by Ms Teece when interviewing the Appellant that the person who has been identified as operating what I have referred to as a scam, is practiced at the art of deception, and holds herself out as an industry participant. It is apparent that the Appellant is not the only industry participant who has fallen victim to her conduct. That does not alter the need for due diligence to be applied. At the same time, there is no element of dishonesty in what the Appellant did (or perhaps failed to do), nor is this a case where the administrative requirements of a transfer were completely ignored. Mr Farrugia's evidence makes it clear that the Appellant at least engaged with the transfer process. The gravamen of his

[24] At [19].
[25] At [20].
[26] At [23] – [24]; [30] – [31].

offending was the failure to make proper enquiries, and otherwise carry out due diligence. It is that circumstance which gives rise to the need for any penalty to reflect general deterrence.

26. I am not satisfied that personal deterrence has any substantive role to play when determining penalty. It is clear that the Appellant has learned a great deal from his experience, and is now acutely aware of what is required. It seems to me that the likelihood of him reoffending in this way is, to say the least, minimal.

27. The hearing at first instance proceeded in the Appellant's absence. On the Appellant's account, that was because the relevant notification was sent to the wrong address. The Appellant did not contest his guilt on the appeal, which proceeded solely on the question of penalty. He should have the benefit of a 25% discount in those circumstances. He also has a creditable disciplinary history which he is entitled to have taken into account.

28. I am unable to accept the Appellant's submission that the matter can be dealt with solely by way of a suspension. Such an outcome would fail to reflect the objective seriousness of the offending, and the importance of the Respondent being able to properly carry out its regulatory functions. I am, however, prepared to reduce the penalties in the circumstances.

29. Finally, the determination at first instance that the penalties imposed on the Appellant should be wholly cumulative is, in my view, plainly incorrect and reflects a failure to properly consider and apply the totality principle.[27] So much was candidly conceded by Mr Gillies, who appeared for the Respondent on the appeal.[28] Whilst the charges address differing conduct, they also arise from the one set of circumstances. There should, in those circumstances, be a substantial degree of concurrency.

[27] See *Edwards v Greyhound Welfare and Integrity Commission* 25 May 2026 at [17] and the authorities cited therein.
[28] Transcript 6.17 – 6.30

ORDERS

30. For the reasons I have given, I make the following orders:

1. The appeal is upheld.
2. The penalties imposed at first instance are quashed.
3. In lieu thereof the following penalties are imposed.
    (c) In respect of the charge contrary to LR34B(3), a disqualification of 4½ months commencing on 24 March 2026 and expiring on 8 July 2026.
    (d) In respect of the charge contrary to r 24(1), a suspension of 3 months commencing on 24 April 2026 and expiring on 23 July 2026.
4. The appeal deposit is to be refunded.

THE HONOURABLE G J BELLEW AM SC

2 July 2026