



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: Tuesday 20 June 2023

Decision-makers: Senior Steward Kevin Adams, Steward Louise Warren and Steward Sam Woolaston

Name of relevant person: Kerry Barrass

Rule no.: Rule 21(3) & Rule 165(a)

Charge(s): **Charge One (Rule 21(3))**
That Ms Barrass permitted an unsafe condition that was dangerous to the health, welfare and safety of greyhounds in her care

Charge Two (Rule 165(a))
That Ms Barrass committed an act detrimental to the image of greyhound racing

Plea: Not Guilty

Disciplinary action taken: **Charge 1:** To disqualify Ms Barrass' registration for a period of 6 months;
Charge 2: To disqualify Ms Barrass' registration for a period of 6 months;
with the penalties to be served concurrently
Penalties to commence midnight Thursday 29 June 2023 and expire midnight 29 December 2023.

BACKGROUND

1. At approximately 2:00pm on 8 February 2023 Ms Barrass left her vehicle parked with two greyhounds secured inside, with the outside temperature approximately 28 degrees.
2. The windows of the vehicle were left down approximately 2-3cm, and one greyhound was muzzled in a manner that its ability to drink water was impaired.
3. The greyhounds were observed by members of the public to be in some distress and clearly panting. The police were then contacted by members of the public.
4. Upon arrival, the police lawfully gained access to the vehicle.
5. Ms Barrass did not return to the parked vehicle until approximately 3.10pm on the same date
6. On 23 February 2023, Ms Barrass was interviewed by representatives of the Controlling Body in respect to another incident. During the course of that interview, Ms Barrass self-reported the above incident.

DECISION:

7. Ms Barrass is a registered Public Trainer and Breeder with the Greyhound Welfare and Integrity Commission.
8. On 21 April 2023 Ms Barrass was issued with a notice of charge and proposed disciplinary action ("**Notice**").
9. In the Notice issued on 21 April 2023 the decision-makers charged Ms Barrass with two offences under the Greyhound Racing Rules and proposed a penalty of a 9-month disqualification of Ms Barrass' licenses. The charges were issued under the following Rules:

Charge 1: Rule 21(3), Rules

(3) A *person* shall not cause or permit, on any premises owned or occupied by that *person*, any dangerous condition that is likely to be dangerous to the health, welfare or safety of that *greyhound*.

NOTE: *premises* is defined in the *Greyhound Racing Act 2017* as including a vehicle or trailer.

Charge 2: 165(a), Rules

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

(a) commits or omits to do any act or engages in conduct which is in any way detrimental or prejudicial to the interest, welfare, image, control or promotion of greyhound racing.

10. The Notice invited Ms Barrass to attend a hearing on Tuesday 2 May 2023 and to enter a plea and make submissions in relation to the charge.
11. After representations were made on Ms Barrass' behalf, the hearing was adjourned, and a further hearing scheduled for Tuesday 20 June.

12. On 20 June 2023 Ms Barrass attended the hearing alongside her legal representative, and entered a plea of not guilty to both charges. Her legal representative made verbal submissions on her behalf.

13. In considering the matter, the decision makers considered Ms Barrass' plea of not guilty and the submissions made on her behalf, as well as all available evidence before them. The decision makers found the charges proven and took the following disciplinary action against Ms Barrass:

Charge 1 (Rule 21(3)): To issue a period of disqualification of 6 months;
and

Charge 2 (Rule 165(a)): To issue a period of disqualification of 6 months

With the penalties to be served concurrently.

14. In taking this disciplinary action, the decision-makers considered all evidence and submissions, including:

- Ms Barrass' plea of not guilty;
- Ms Barrass' time in the industry – a period of approximately 23 years;
- Ms Barrass' unblemished disciplinary record and high standing within the industry; and
- That Ms Barrass self-reported this matter to the Commission.

15. Ms Barrass made application under Rule 174(5) to have the penalty commencement date deferred. Decision makers granted this request and deferred the penalty commencement for a period of nine days. Accordingly, the period of disqualification commences midnight Thursday 29 June 2023 and expires midnight 29 December 2023.

.....End.....