



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision:	21 October 2021
Decision-maker:	Director Compliance & Legal Services, Matthew Tutt, Director Race Day Operations (Chief Steward), Wade Birch, Senior Steward, Dean Degan
Name of relevant person:	Mr Trevor Rice
Track:	N/A
Date:	16 September 2020
Rule no.:	Rule 106(1)(d)
Charge(s):	(1) That Mr Rice, a registered Public Trainer and Breeder, failed to provide veterinary treatment to a greyhound at the time it first appeared necessary to do so.
Disciplinary action taken:	12-month suspension, with time served under interim suspension taken into account.

DECISION:

1. Mr Trevor Rice was at all times registered with GWIC as a Public Trainer and Breeder.
2. On 16 September 2020 GWIC Inspectors attended Mr Rice's registered kennel premises.
3. During the inspection, GWIC Inspectors located a Greyhound that had a large open wounds across its back and neck.
4. GWIC Inspectors questioned Mr Rice about the injury who stated that he had first seen the wound at approximately 6:00am that morning. Mr Rice acknowledged he had been aware of what he described as 'sweat blisters' on the Greyhound where the open wound presented, prior to that time, and that he had been administering penicillin to the Greyhound himself. The penicillin was not prescribed by a veterinarian for the purpose of treating the 'sweat blisters'.
5. Mr Rice advised GWIC Inspectors that he had not sought advice from a veterinarian in relation to the injury to the Greyhound.
6. The Greyhound was removed from Mr Rice's care by the GWIC Inspectors that day and was transported to a veterinary clinic for urgent treatment.
7. On 30 September 2020 an interim suspension was imposed by the Commission in respect of this matter. Mr Rice appealed the interim suspension to the Racing Appeals

Tribunal and a stay was granted on 12 October 2020. Mr Rice's appeal on the interim suspension was determined by the Racing Appeals Tribunal, and the interim suspension was reimposed on 27 October 2020.

8. On 19 October 2021 the Commission charged Mr Rice under Rule 106(1)(d) in relation to his conduct and invited him to respond to the charge at a hearing on 21 October 2021. Rule 106(1)(d) reads:

Rule 106 Proper care (welfare) of greyhounds

(1) A registered person must ensure that greyhounds, which are in the person's care or custody, are provided at all times with-

(d) veterinary attention when necessary.

9. On 21 October 2021 Mr Rice and his representative attended the hearing. Mr Rice entered a guilty plea to the charge and submissions were made on his behalf.
10. Mr Rice's legal representative submitted that Mr Rice's culpability was at the lower end when considering breaches for the Rule that Mr Rice was charged under. It was submitted that any animal welfare matter is a matter of significant seriousness and in Mr Rice's case, the failure to provide veterinary treatment was not prolonged or ongoing. It was also submitted on behalf of Mr Rice that he otherwise has a very long history of high animal welfare standards and no disciplinary matters of a like nature.
11. It was also submitted that whilst Mr Rice was subject to an interim suspension, he experienced significant financial and personal hardship. The Commission considered that the personal matters were significant matters in mitigation and are not repeated here for privacy reasons.
12. Mr Rice also cooperated with the investigation and pleaded guilty at the earliest opportunity.
13. The Commission took into account Mr Rice's registration history of almost 40 years, with relatively minor matters in his disciplinary history.
14. The Commission however, had to balance Mr Rice's numerous factors in mitigation with the objective seriousness of the Rule breach. Any animal welfare matter, particularly a failure to provide veterinary attention when necessary, are matters that the Commission treat with great seriousness. Section 11 of the *Greyhound Racing Act 2017* (NSW) lists the first principal objective of the Commission, being "to promote and protect the welfare of greyhounds". This objective, enshrined in legislation, requires the Commission to take whatever steps necessary, including imposing significant penalties on participants found in breach of Rules, which are made to promote and protect greyhounds.
15. The Commission has said in the past that lengthy periods of disqualification as a starting point for participants found in breach of animal welfare rules are appropriate. In the case of Mr Rice, significant reductions were made to the penalty that would otherwise have been imposed, to take into account Mr Rice's plea of guilty and other

mitigating factors. Ultimately the Commission considered a 12-month suspension to be appropriate.

16. The IHP found the charge proven and took the following disciplinary action against Mr Rice:

To suspend Mr Rice's registrations for 12 months, with time served under interim suspension taken into account.

Prevention of Cruelty to Animals Charge

17. The finalisation of this disciplinary matter was delayed as the Commission filed a charge under section 5(3) of the *Prevention of Cruelty to Animals Act 1979* (NSW) ("**POCTAA**") against Mr Rice on 11 February 2021. The matter was set to be heard on 18 August 2021.
18. Due to the New South Wales Government Public Health Orders imposing lockdown orders on much of New South Wales, the above hearing date was unable to proceed and was subsequently vacated.
19. Due to the significant delays to Mr Rice's matter, with Mr Rice under the burden of an interim suspension, the Commission considered that in this matter it was most appropriate for the matter to be dealt with by way of regulatory charges under the Greyhound Racing Rules.

.....End.....