



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 24 July 2024

Decision-makers: Chief Operating Officer Wade Birch and Steward Sam Woolaston

Name of relevant person: Merle Clarke

Rule no(s): R156(b)

Charge(s): **Charge 1 – R156(b)**

Mrs. Clarke did a thing which, in the opinion of the Controlling Body, constitutes an offence, by breaching a condition upon their registrations relating to total number of greyhounds allowed at their registered kennel address.

Charge 2 – R156(b)

Mrs. Clarke did a thing which, in the opinion of the Controlling Body, constitutes an offence, by breaching a condition upon their registrations relating to conduct of breeding activities.

Plea: Not guilty to both charges

Disciplinary action taken: **Charge 1** - 15-month disqualification; and

Charge 2 – 6-month disqualification;

With the penalties to be served concurrently; and

With the disqualification period to commence on 29 July 2024 and expire on 29 October 2025.

DECISION:

1. Mrs. Clarke was, at all relevant times, a registered Public Trainer with the Greyhound Welfare and Integrity Commission.
2. On 14 March, 2023, a condition was imposed upon Mrs. Clarke’s registrations prohibiting her from engaging in any activities related to the breeding of greyhounds or to allow any other person to engage in greyhound breeding activity at their registered kennel address (“**Property**”).
3. On 5 June 2023, an additional condition was imposed upon Mrs. Clarke’s registrations limiting the number of greyhounds permitted to be kept at their Property.

4. On 23 April, 2024, officers of the Controlling Body attended the Property and;
 - Identified a total number of greyhounds at the Property in excess of the number permitted; and
 - Identified a pregnant greyhound at the Property.
5. On Monday 24 June 2024 a notice of charge and proposed disciplinary action (“**Notice**”), was issued to Mrs. Clarke. The Notice issued two charges, alleging breaches of the following Greyhound Racing Rule:

R156(b), Greyhound Racing Rules

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

...

(b) fails to comply with any conditions:

- a. Of the person’s registration or license as an owner, trainer, attendant or any other category of registration or license;
- b. To which the registration of any greyhound owned by the person or under the person’s care or custody is subject

6. The Notice invited Mrs. Clarke to attend a hearing and make submissions in relation to the charges and proposed penalties. The penalties decision makers proposed were:

Charge 1 – Rule 156(b) 24-month disqualification; and

Charge 2 – Rule 156(b) 24-month disqualification

7. On Monday 15 July 2024 Mrs. Clarke and her legal representative attended the hearing conducted via Microsoft Teams and;

- Entered a plea of not guilty to both charges; and
- Made verbal submissions

8. Following consideration of Mrs. Clarke’s pleas and submissions, the decision makers found the charges proven and determined to impose the following disciplinary action upon her:

Charge 1 – Rule 156(b) 15-month disqualification; and

Charge 2 – Rule 156(b) 6-month disqualification

With the penalties to be served concurrently; and

With the disqualification period to commence on 29 July 2024 and expire on 29 October 2025.

9. In taking this disciplinary action, the decision-makers had regard to all relevant evidence and material, including:
- Mrs. Clarke's not guilty plea to both charges;
 - Mrs. Clarke's disciplinary history;
 - Mrs. Clarke's time in the greyhound industry;
 - The extensive support provided to Mrs. Clarke to rehome retired greyhounds previously housed at her kennels.
 - The objective seriousness of the offence of failing to adhere to a condition of a registration.

.....End.....