



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision:	1 June 2021
Decision-makers:	A/Senior Legal Officer, Alice Stafford, Chief Inspector, David OShannessy and Senior Steward, Dean Degan
Name of relevant person:	Mr Terry Callen
Track:	N/A – non meeting
Date:	22 December 2019
Rule no.:	Rule 86(ag)
Regulation:	Clause 10(2) of the <i>Greyhound Racing Regulations 2019</i> (NSW)
Charges:	(1) Mr Callen failed to comply with clauses 2, 4 and 12 of the <i>GWIC Greyhound Re-homing Policy</i> dated 1 December 2019; (2) Mr Callen failed to comply with Clause 10(2) of the <i>Greyhound Racing Regulations 2019</i> (NSW).
Disciplinary action taken:	Charge 1: To suspend Mr Callen’s Public Trainer and Breeder registrations for a period of 12-weeks, wholly suspended for a period of 12 months on the condition that Mr Callen does not breach Rule 86(ag) or similar rules during that 12-month period; Charge 2: To take no further action having consideration to the penalty imposed for Charge 1.

DECISION:

1. Mr Callen was, at all material times, a registered greyhound public trainer and breeder.
2. Mr Callen was, at all material times, the owner and trainer of the greyhound ‘Sketchy Cosmic’ (“**Greyhound**”).
3. On 22 December 2019, the Greyhound was retired to a non-greyhound racing industry participant.
4. Prior to the surrender of the Greyhound, the Greyhound was not provided with a ‘wind-down’ period of at least 30 days before being rehomed, in breach of clause 2 of the *GWIC Greyhound Re-homing Policy* dated 1 December 2019 (“**Policy**”).

5. At the time of surrender, the Greyhound was not desexed in accordance with clause 4 of the Policy.
6. Mr Callen failed to notify the Commission of the details relating to the retirement of the Greyhound using the form approved by the Commission, being a *Retirement Notification* form, in breach of clause 12 of the Policy and Clause 10(2) of the *Greyhound Racing Regulations 2019 (NSW)* (“**Regulations**”).
7. The Commission charged Mr Callen under Rule 86(ag) and Clause 10(2) of the Regulations, which read:

Rule 86(ag), Rules

A person (including an official) shall be guilty of an offence if the person-

...

(ag) fails to comply with a policy adopted by a Controlling Body;

[A “**person**” is defined in Rule 1 as any person or body corporate whether registered by the Controlling Body or not.]

Clause 10(2), Regulation

(1) A greyhound racing industry participant who owns or keeps a greyhound must, in accordance with this clause, provide the following information to the Commission-

...

(b) if there is a change in the ownership of the greyhound – details of the change of ownership,

(c) if there is a change in the premises at which the greyhound is ordinarily kept – details of the change of premises,

...

(2) If the Commission approves a manner or form for providing information required by this clause, the information must be provided in the approved manner or form.

(3) A greyhound racing industry participant who is required to provide information to the Commission under this clause must do so-

...

(a) in the circumstances referred to in subclause (1)(c) – not more than 3 days after the change of premises,

8. Mr Callen provided written submissions and elected to have the disciplinary proceeding conducted in writing.
9. The Commission found the charges proven and took the following disciplinary action against Mr Callen:

Charge 1 (Rule 86(ag)):

To suspend his public trainer and breeder registrations for a period

of 12-weeks, wholly suspended for a period of 12 months on the condition that Mr Callen does not breach Rule 86(ag) during that 12-month period;

Charge 2 (Clause 10(2), Regulations):

To take no further action having consideration to the penalty imposed for Charge 1.

10. In taking this disciplinary action, the Commission considered all evidence, including:

- The objective seriousness of Mr Callen's conduct;
- Mr Callen has held a trainer registration in the greyhound racing industry since 1988, approximately 33 years;
- Mr Callen has no like matters in his disciplinary history;
- NSW greyhound racing precedents; and
- Mr Callen's submissions in mitigation of penalty, in particular in relation to the circumstances of the offending and his remorse.

.....End.....