

GREYHOUND WELFARE & INTEGRITY COMMISSION

DISCIPLINARY ACTION DECISION

Date of decision: 30 November 2021

Decision-makers: Chief Inspector, David OShannessy, Senior Steward, Dean Degan & Acting Senior Legal Officer, Alice Stafford

Name of relevant person: Mr Victor Ellis

Date: 12 February 2020; 14 February 2020

Rule no.: Rule 86(ag); Clause 10, Regulations

Charge(s): (1) Mr Ellis failed to comply with Clauses 5, 6, 10 and 12 of the *GWIC Greyhound Re-homing Policy* ;
(2) Mr Ellis failed to provide a *Euthanasia of Greyhound Notification* within the timeframe and in the form required under Clause 10 of the Regulations.

Disciplinary action taken:

Charge 1: 12-week suspension, wholly and conditionally suspended;

Charge 2: Formal warning.

DECISION:

1. At all relevant times, Mr Ellis was a registered greyhound Owner Trainer and Breeder.
2. On 8 April 2021 GWIC Inspectors attended at Mr Ellis' registered kennel address to conduct a kennel inspection. During the inspection the Inspectors scanned the greyhounds present at the property. It was established that the greyhound 'Flyaway Riley' ("**Greyhound**") was not present at the property despite being registered as being so.
3. Mr Ellis advised the Inspectors that the Greyhound had been euthanased during early 2020.
4. On 26 May 2021 GWIC Registration staff received a 'Certificate of Euthanasia' relating to the Greyhound, certifying that the Greyhound had been euthanased on 12 February 2020.
5. On review of the evidence in this matter, the Commission charged Mr Ellis for breaches of Rule 86(ag) of the Rules and Clause 10 of the Regulations. These respectively read:

Rule 86, 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

Clause 10, Regulations

(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-

....

(e) if the greyhound dies – details relating to the date, time and location of the death and circumstances surrounding the death (including the cause of death, if known)

...

(2) If the Commission approves a manner or form for providing information required by this clause, this 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-

...

(b) in the circumstances referred to in subclause (1)(e) – not more than 2 days after the death of the greyhound

...

- 6. Mr Ellis provided written submissions in response to the charges and elected to have the matter dealt with on the papers.
- 7. The Commission found the charge proven and took the following disciplinary action against Mr Ellis:

Charge 1: To suspend his registrations for a period of 12-weeks, wholly suspended for a period of 12 months on the condition that he does not breach Rule 86(ag) or any like rules in that time;

Charge 2: Formal warning.

- 8. In taking this disciplinary action, the Commission considered all evidence and submissions, including:
 - The objective seriousness of Mr Ellis’s conduct which resulted in the euthanasia of the greyhound;
 - The length of time Mr Ellis has held a trainer registration in the NSW greyhound racing industry, being since 1990, approximately 31 years;
 - Mr Ellis’s disciplinary history – he has no like matters on his record;
 - The submissions made by Mr Ellis in relation to this matter, in particular in relation to the particular circumstances of the offending.

.....End.....