

GREYHOUND WELFARE & INTEGRITY COMMISSION

DISCIPLINARY ACTION DECISION

Date of decision:	21 April 2022
Decision-makers:	Director Compliance, Policy & Legal, Matthew Tutt, Director of Race Day Operations & Integrity, Wade Birch, and Legal Officer, Annalese Summerson-Hingston
Name of relevant person:	Mr Graham Thurkettle
Track:	N/A
Date:	August 2020 – January 2021
Rule no.:	Rule 86(ac) x 2, Rule 86(x) x 2
Charge(s):	(1) Mr Thurkettle acted in a manner considered dishonest, corrupt, and improper in connection with the breeding or registration of greyhounds; (2) Mr Thurkettle acted in a manner considered dishonest, corrupt, and improper in connection with the breeding or registration of greyhounds; (3) Mr Thurkettle made a false statement to the Commission on ear branding paperwork; and (4) Mr Thurkettle made a false statement to the Commission on ear branding paperwork.
Disciplinary action taken:	Charge 1: 3-month disqualification Charge 2: 3-month disqualification Charge 3: 3-month disqualification Charge 4: 3-month disqualification with the penalties served concurrently.

Background

Bambi's Revenge

1. On a date unknown to the Commission Mr Thurkettle and Mr Christopher Edwards entered into an agreement that Mr Thurkettle would place the greyhound 'Bambi's Revenge' into Mr Thurkettle's name to allow Mr Edwards to breed from the Bambi's Revenge. Mr Thurkettle provided a straw to allow for Bambi's Revenge to be serviced and in return was to receive at least two pups from the litter. Mr Edwards did not hold any registration with the Commission.

2. On or about 6 August 2020 Mr Thurkettle became the registered owner of Bambi's Revenge.
3. On 17 October 2020 Bambi's Revenge has whelped a litter of pups at a veterinary clinic. The whelping ultimately resulted in one live pup ("**Pup**").
4. The Pup returned to the Mr Edwards residential property.
5. On 19 October 2020 the whelping notice was lodged with the Commission in Mr Thurkettle's name.
6. On a date unknown to the Commission, Mr Edwards took Bambi's Revenge and the Pup to Mr Thurkettle's registered premises, in order for the Pup to be ear branded by a Commission staff member.
7. On 13 January 2021 a Commission staff member has ear branded the Pup at Mr Thurkettle's registered premises. Mr Thurkettle was present and signed the ear branding paperwork.
8. After the Pup was ear branded, Mr Edwards has collected Bambi's Revenge and the Pup and returned them to his residential property.

Sheza Marvel

9. On 12 August 2020 the greyhound 'Sheza Marvel' has whelped a litter at a veterinary clinic. The whelping ultimately resulted in one live pup ("**Pup**").
10. The Pup has returned to Mr Edwards residential property.
11. On 6 November 2020 the owner of Sheza Marvel submitted a Whelping Notice listing Mr Thurkettle as the whelper and the location of Sheza Marvel as Mr Thurkettle's registered premises.
12. On a date unknown to the Commission, Mr Edwards took the Pup to Mr Thurkettle's registered premises in order to have the Pup ear branded by a Commission staff member.
13. On 3 December 2020 a Commission staff member ear branded the Pup at Mr Thurkettle's registered premises. Mr Thurkettle was present and signed the ear branding paperwork.
14. After the Pup was ear branded, Mr Edwards collected the Pup and returned it to his residential premises.
15. On 7 April 2022 Mr Thurkettle was issued with a Notice of Charge and Proposed Disciplinary Action ("**Notice**") via email, setting out the proposed disciplinary action to be taken and the grounds in support of that proposed disciplinary action. The Notice issued two charges under Rule 86(ac) and two charges under Rule 86(x) of the GWIC Greyhound Racing Rules ("**Rules**") and invited Mr Thurkettle to attend a hearing on 21 April 2022. Mr Thurkettle was also provided with a brief of evidence for the charge.

On 21 April 2022 Mr Thurkettle attended the scheduled hearing with the decision makers. At the hearing Mr Thurkettle made submissions in relation to the particulars of Charges Two and Three. As a result of these submissions, the particulars of Charges Two and Three were

amended at the hearing. Following these amendments, Mr Thurkettle confirmed a plea of guilty to all four charges and made oral submissions in relation to the proposed penalties. The decision makers accepted Mr Thurkettle's plea and submissions and issued the following decision.

DECISION:

16. At all relevant times Mr Thurkettle was a registered greyhound Public Trainer and Breeder.

17. The decision makers charged Mr Thurkettle with four offences under the Greyhound Racing Rules, being two charges under Rule 86(ac) and two charges under Rule 86(x), which respectively read:

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

(ac) in the opinion of the Controlling Body, a person is guilty of neglect or of any dishonest, corrupt or improper act or practice in connection with the breeding or registration of greyhounds or has attempted any such act or practice;

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

(x) makes any statement which to his or her knowledge is false either oral by, by print, in writing, by electronic means or by any combination thereof to a member of the Controlling Body, an officer of the Controlling Body, an employee of the Controlling Body, a veterinary surgeon or an official in the execution of his/her duty;

18. The decision makers found the charges proven and took the following disciplinary action against Mr Thurkettle:

Charge 1 (Rule 86(ac)): To disqualify Mr Thurkettle for a period of 3-months;

Charge 2 (Rule 86(ac)): To disqualify Mr Thurkettle for a period of 3-months;

Charge 3 (Rule 86(x)): To disqualify Mr Thurkettle for a period of 3-months; and

Charge 4 (Rule 86(x)): To disqualify Mr Thurkettle for a period of 3-months, with the penalties to be served concurrently.

19. In taking this disciplinary action, the decision makers considered all evidence, including:

- Greyhound racing penalty precedents in NSW;
- The length of time Mr Thurkettle has held a registration, being since 2005, a period of approximately 17 years;

- Mr Thurkettle’s disciplinary history – noting his lack of relevant disciplinary history in his long association with the greyhound industry;
- Mr Thurkettle’s candour in relation to the circumstances surrounding the offending and his remorse expressed;
- Mr Thurkettle’s plea of guilty at the earliest opportunity; and
- Mr Thurkettle’s submissions in mitigation of penalty, including his personal and financial circumstances experienced both at the time of the offending and currently, his recent health circumstances and his remorse.

20. The decision makers determined to defer commencement of the penalty until midnight 22 April 2022, so as to not disturb the fields already drawn on 21 April 2022.

.....End.....