

GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision:	21 October 2021
Decision-makers:	Chief Inspector, David OShannessy, Senior Steward, Dean Degan & Acting Senior Legal Officer, Alice Stafford
Name of relevant person:	Mr John Stewart
Date:	9 April 2021
Rule no.:	Rule 86(ag)
Charge(s):	(1) On 9 April 2021 Mr Stewart failed to comply with Clause 5 of the <i>Greyhound Re-homing Policy</i>
Disciplinary action taken:	16-week suspension, wholly and conditionally suspended for a period of 12 months.

DECISION:

1. At all relevant times, Mr Stewart was a registered greyhound Public Trainer.
2. On 9 April 2021, the greyhound named 'Banana Shake' ("**Greyhound**") was registered as owned by Mr Stewart and as in his custody.
3. On 9 April 2021, Mr Stewart surrendered the Greyhound by leaving her in the overnight boxes at Maitland RSPCA. Mr Stewart left the Greyhound with a note stating that the Greyhound needed to be rehomed as she had tried to bite your wife, and that you were concerned about the welfare of your wife and young grandchildren.
4. Mr Stewart made admissions that:
 - He had not attempted to rehome the Greyhound prior to the surrender;
 - The Greyhound was not desexed prior to the surrender; and
 - He had not submitted any paperwork to GWIC regarding the surrender of the Greyhound.
5. On review of the evidence in this matter, the Commission charged Mr Stewart a charge for breach of Rule 86(ag) of the Rules. These rules respectively read:

Rule 86

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

6. Mr Stewart pleaded guilty to the charge, provided written submissions in response to the charge 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 Stewart:

To issue Mr Stewart a 16-week suspension, wholly suspended for a period of 12 months on the condition that Mr Stewart does not breach Rule 86(ag) or any similar Rules during that 12-month period.

8. In taking this disciplinary action, the Commission considered all evidence and submissions, including:

- The objective seriousness of Mr Stewart's conduct;
- The length of time Mr Stewart has held a trainer registration in the NSW greyhound racing industry, being since 1988, approximately 33 years;
- Mr Stewart's disciplinary history – he has no like matters on his record;
- Mr Stewart's plea of guilty to the charge at the earliest opportunity;
- The submissions made by Mr Stewart in relation to this matter, in particular in relation to the particular circumstances of the offending.

.....End.....