

14 May 2019



NOTICE OF INQUIRY RESULT

STEWARDS: L.G. Michalanney, J. Jones, M. Fernholz

Greyhound Racing SA (GRSA) Stewards have concluded an inquiry into the circumstances of owner Mr. Jeffrey Wells being present at the Angle Park slipping track with the greyhound PENNY CHANGE.

Evidence was considered from records held by GRSA, CCTV footage, Chief Steward Mr. Des Jonas, Mr. Jeffrey Wells and trainer Mr. Donald Wells. It was established between on or about 17 December 2018 until 3 January 2019, Mr. Donald Wells permitted the greyhound PENNY CHANGE to be in the care and training of Mr. Jeffrey Wells, who was unlicensed.

After considering the matter and all the evidence before them, Stewards issued the following charges against Mr. Donald Wells under:

- GAR 86(ag) which reads:

A person (including an official) shall be guilty of an offence if the person-fails to comply with a policy adopted by a Controlling Body;

and;

- GAR 101(2)

*An owner or trainer shall not permit an unlicensed person to –
train, at any place a greyhound owned by or pursuant to the control of the owner or
trainer.*

In relation to the first charge, Stewards deemed Mr. Donald Wells had failed to comply with Angle Park Slipping Track Policy, which he had agreed to on two occasions, by giving his access key fob to a third party. Mr. Donald Wells pleaded guilty to the charge and was fined \$200. Stewards also determined that all rights of access to the Angle Park slipping track were revoked.

In relation to the second charge, Stewards deemed that Mr. Donald Wells did permit unregistered person Mr. Jeffrey Wells to undertake activities with the greyhound PENNY CHANGE that fall under the definition of 'training' from on or about 17 December 2018 to 3 January 2019. Mr. Donald Wells pleaded guilty to the charge and was suspended for twelve (12) months; with six (6) months suspended for a period of 24 months on the grounds that he does not reoffend under this Rule. The suspension period was ordered to commence at midnight Thursday 16 May, 2019

In assessing penalty, Stewards took into consideration Mr. Donald Well's guilty pleas, clean record in relation to these Rules, his forthrightness before the panel and his personal circumstances. However, Stewards note there must be specific and general deterrent in relation to both charges, firstly as GRSA policies are in place to regulate the activities in the industry, and secondly Stewards are highly aware that the special conditions around greyhound welfare are ineffective if unlicensed persons are in control of greyhounds.

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Mr. Donald Wells was advised of his rights of appeal.

In relation to Mr. Jeffrey Wells, after considering the matter and all the evidence before them, Stewards issued the following charges under:

- GAR 86(o) which reads:

A person (including an official) shall be guilty of an offence if the person- has, in relation to a greyhound or greyhound racing, done a thing or omitted to do a thing, which, in the opinion of Stewards or the Controlling Body, as the case may be, is negligent, dishonest, corrupt, fraudulent or improper, or constitutes misconduct;

and

- GAR 86(k)

A person (including an official) shall be guilty of an offence if the person- falsely or fraudulently registers, attempts to register or causes to be registered himself or another person pursuant to these Rules, or by way of a false or fraudulent document, statement or representation.

In relation to the first charge, Stewards deemed Mr. Jeffrey Wells had undertaken activities that fall under the definition of 'training' as prescribed in the Rules of Racing, when caring for and exercising the greyhound PENNY CHANGE from on or about 17 December 2018 until 16 January 2019 when he did not hold any class of licence to be able to do so, which in the opinion of Stewards was improper. Mr. Jeffrey Wells pleaded guilty of the charge and was suspended for twelve (12) months; with six (6) months suspended for a period of 24 months on the grounds that he does not reoffend under this rule. The suspension period was ordered to commence at midnight Thursday 16 May, 2019

In relation to the second charge, Stewards deemed that Mr. Jeffrey Wells had made a false statement on his Application for Registration as an Owner with GRSA. Mr. Jeffrey Wells pleaded guilty to the charge and was fined \$400.

In assessing penalty, Stewards took into consideration Mr. Jeffrey Well's guilty pleas, his forthrightness before the panel and his personal circumstances. However, Stewards consider specific and general deterrent in relation to both charges as being highly important as firstly there is unprecedented risk to our industry if persons who are not assessed and approved by the GRSA licensing system are responsible for the care and training of greyhounds. And secondly, failure to disclose potential important information on licensing applications can impact on the licensing process.

Mr. Jeffrey Wells was advised of his rights of appeal.

GRSA Stewards have undertaken industry education in this area in December 2018 and once again, strongly remind all participants to ensure greyhounds are always in the care of a licensed person and if there is any doubt, confirmation should be sought from the relevant Controlling Body.

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