

STEWARDS INQUIRY DECISION

Date of Decision: Monday 25 September 2019
Stewards Panel: Racing Integrity Stewards M Hoyle (Chairman), L Lord, H Edgecombe.
Name: Mr Gavin Whitney
Date: 12 September 2019
Rule no: GAR86B(1)(b) & GAR86B(1)(a)

1. **Charge(s):** **GAR86B(1)(b)** which reads “A person who, in the opinion of Stewards or the Controlling body – (b) attempts to possess, or has possession of, or brings onto, any grounds, premises or within the boundaries of any property where greyhounds are, or are to be trained, kept or raced, any live animal, animal carcass or any part of an animal for the purpose of being, or which might reasonably be capable of being, or likely to be, used as bait, quarry or lure to entice or excite or encourage a greyhound to pursue it;”
2. **GAR86B(1)(a)** which reads “A person who, in the opinion of Stewards or the Controlling body – (a) uses in connection with greyhound training, education or preparation to race, or racing, any live animal, animal carcass or any part of an animal whether as bait, quarry or lure, or to entice, excite or encourage a greyhound to pursue it or encourage otherwise;”

Inquiry Decision: Stewards disqualified Mr Whitney for the period of his natural life, effective immediately.

FACTS:

Stewards found an animal skin (wallaby) being located at the registered kennel address of licenced trainer Mr. Gavin Whitney when ORI Stewards conducted a kennel inspection on Thursday 12th September 2019.

INQUIRY:

On 25 September 2019, Office of racing Integrity (ORI) Stewards conducted an inquiry into the circumstances surrounding an animal skin (wallaby) being located at the registered kennel address of licenced trainer Mr. Gavin Whitney when ORI Stewards conducted a kennel inspection on Thursday 12th September 2019.

At the inquiry, evidence was tendered by ORI Stewards, licenced owner Mr. Barry Cook, ORI Regulatory Veterinarian Dr Adam Richardson and Mr Whitney.

After giving the evidence tendered due consideration, Stewards issued 2 charges to Mr Whitney under the following rules:

1. **GAR86B(1)(b)** which reads “A person who, in the opinion of Stewards or the Controlling body – (b) attempts to possess, or has possession of, or brings onto, any grounds, premises or within the boundaries of any property where greyhounds are, or are to be trained, kept or raced, any live animal, animal carcass or any part of an animal for the purpose of being, or which might reasonably be capable of being, or likely to be, used as bait, quarry or lure to entice or excite or encourage a greyhound to pursue it;”

The particulars of the charge being that Mr Whitney was in possession of an animal skin which was believed to be a wallaby skin at his registered kennel address.

2. **GAR86B(1)(a)** which reads *“A person who, in the opinion of Stewards or the Controlling body – (a) uses in connection with greyhound training, education or preparation to race, or racing, any live animal, animal carcass or any part of an animal whether as bait, quarry or lure, or to entice, excite or encourage a greyhound to pursue it or encourage otherwise;”*

The particulars of the charge being that Mr Whitney used an animal skin which was believed to be a wallaby skin to entice greyhounds to assist them jumping out of the starting boxes at his registered kennel address on 4 occasions.

DECISION:

Mr. Whitney pleaded guilty to charge 1 and not guilty to charge 2. After considering Mr. Whitney's submissions in relation to his not guilty plea to charge 2, Stewards found Mr. Whitney guilty of this charge.

When determining penalty in respect to both charges, Stewards were bound to adhere to the Tasmanian Local Rules of Racing which overrides the Greyhound Australasia Rules. Local Rule (Tas) LR 36.10 reads *“Notwithstanding the penalties stipulated in GAR86B(1) a person who, in the opinion of Stewards or Controlling Body is deemed guilty of an offence under the provisions of GAR86B(1) (a), (b), (c), (d), (e), (f) or (g) shall be disqualified for the period of their natural life.”*

Acting under the provisions of LR (TAS) 36.10, Stewards disqualified Mr Whitney for the period of his natural life, effective immediately.

Mr. Whitney was advised of his rights of appeal.

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