



INTERNAL REVIEW DECISION
(Internal Review Decision Notice in response to an Application for Internal Review)

PART 1: Details of Internal Review	
Internal Review Number:	Internal Review 0007-19
Applicant's Name:	Anthony Gaiardo
PART 2: Decision History	
Original Decision:	Refusal of Application for Greyhound Trainer Licence - Class 3
Original Decision Makers:	Licensing and Registration Department, Queensland Racing Integrity Commission
Date of Original Decision:	25 January 2019
Internal Review Decision:	Original decision set aside
Internal Review Adjudicator:	Mr Kane Ashby, Internal Adjudicator, Queensland Racing Integrity Commission
Date of Internal Review Decision:	28 February 2019
PART 3: Summary of Internal Review Application	
<p>The Applicant, Mr Anthony Gaiardo, submitted an Application for a Greyhound Trainer Licence Class 3 with the Licensing and Registration Department of the Queensland Racing Integrity Commission on 14 January 2019.</p> <p>Under the Queensland Racing Integrity Commission's Standard for Licensing Scheme Greyhounds, the pre-requisite for a Class 3 Trainer Licence is that the Applicant must have held an Attendants licence for not less than 6 months, or provide evidence of previous experience.</p> <p>On 25 January 2019, the Queensland Racing Integrity Commission's Licensing and Registration Department deemed the Applicant's Application for a Greyhound Trainer Licence to be invalid due to the Applicant not meeting the pre-requisite for a Class 3 Trainer Licence as the Applicant had not held an Attendants licence for not less than six (6) months and had not provided evidence of previous experience (as the previous experience submitted by the Applicant between 1980-1986 was not recent enough to suffice).</p> <p>The Applicant sought a review of the decision and provided the following submissions in support of his Application:</p> <p><i>"Process was too harsh, did not acknowledge my application entirely and is not based on a reasonable logic."</i></p> <p>The Applicant also submitted the following letter in support of his Application:</p> <p><i>"Licensing and Registration,</i> <i>I am writing in response to your letter dated 25 January 2019.</i></p>	



In this letter you have advised that my application for a Trainer 3 Class Licence is invalid based on the grounds that I have not held an Attendants Licence for 6 months. I did submit evidence of previous experience however your considerations were only focused on my experience for the dates 1980-1986.

I have attached a copy of the original application for your convenience.

The basis for my appeal is that the decision has not fairly assessed my application.

The application for a Class 3 Trainer Licence has certain gateways, firstly you are assessed as being competent in boxing and handling a dog, you attain a Kennel Attendants licence and then you either wait 6 months before applying or you submit an application seeking recognition for previous experience. There are no criteria listed for previous experience and it assumed that any previous experience would indicate that an applicant has relevant skills and that those skills would not be improved on by waiting out the 6 month period.

In this instance I feel that only part of my application was considered i.e. my involvement in training racing greyhounds between the periods 1980-1986. I feel that the review of this experience was also unfair. The assessment that this training is not recent enough is arguable as I recall all of the training methodologies used, I have kept all of my notes, articles, charts and books all of which remain contemporary. Training a greyhound is not something you forget. I accept that certain things change but the fundamentals have remained the same.

The application process also failed to acknowledge or consider the more contemporary experience I have attained in working in large kennel complexes, knowledge of animal husbandry, kennel management, breeding and care for brood bitches, rearing canines and or the relevant academic achievements. The years of experience are highly relevant and in combination are surely viewed as highly desirable. They are whole encompassing i.e. how to train a racing greyhound is only a part of being a .trainer -how to care for a dog, how to manage kennel arrangements, how to manage treatments and so on must surely count as relevant and desirable.

The argument that waiting another four months will make me a better trainer is nonsensical as over the next four months I will do no more than box greyhounds on race night or at trials - a process that I have already been found competent for by a racing steward and have already been issued a relevant licence.

I feel that in this instance my application for a Class 3 Trainer Licence was assessed too harshly and was not based on reasonable grounds. I respectfully ask that you reconsider my application noting the following;

- I have previous experience in training racing greyhounds;*
- I have previous experience in animal husbandry and kennel management;*
- I have previous experience in breeding and rearing canines;*
- My experiences are whole encompassing;*
- I have met all the other gateways for a Class 3 Trainer Licence;*
- I will not learn anything new over the next four months; and*
- My application in four months will not change.”*

The outcome sought by the Applicant was a reconsideration of the decision and for a licence to be issued.



PART 4: Reasons for Internal Review Decision

The Applicant submitted an Application for a Greyhound Trainer Licence - Class 3 to the Licensing and Registration Department of the Queensland Racing Integrity Commission on 14 January 2019. Subsequently, the Licensing and Registration Department of the Queensland Racing Integrity Commission deemed such application to be invalid due to the Applicant not meeting the pre-requisites of the Queensland Racing Integrity Commission's Standard for Licensing Scheme Greyhounds, in particular that the Applicant had not held an Attendants licence for a period of six (6) months.

For clarity, Section 2 of the Queensland Racing Integrity Commission's Standard for Licensing Scheme Greyhounds in part states:

Trainer Class 3 - Pre-Requisites:

Held an Attendants licence for not less than 6 months, or provide evidence of previous experience.

The requirements of such licence in part states:

Must formally demonstrate skills demonstrations in following areas:

- *Education & Training of Racing Greyhounds*
- *Illness, Injuries, Treatment & Rehabilitations*
- *Compliance and Animal Welfare*

The *Racing Integrity Act 2016* (Qld) requires the Queensland Racing Integrity Commission to have a standard for a licensing scheme for each code of racing. Subsection 63 of the Act states:

The purposes of the licensing scheme for a code of racing are to ensure:

- *the integrity of racing activities conducted as part of the code; and*
- *the safety of persons involved in racing or training licensed animals; and*
- *the welfare of licensed animals while involved in racing or training, or activities associated with racing or training.*

The Standard for a Licensing Scheme Greyhounds, endorsed by Queensland Racing Integrity Commission on 1 July 2016, in part states that an applicant must satisfy relevant competency levels for the role that they are performing as specified. The Standard provides for a system for assessing applicants seeking to participate in the Queensland racing industry and a system for ensuring the ongoing suitability of licensed animals and participants to remain licensed.

The Applicant's complete review submissions are outlined in Part 3 of this Decision.

The Applicant in part submitted *"Process was too harsh, did not acknowledge my application entirely and is not based on a reasonable logic. I feel that only part of my application was considered i.e. my involvement in training racing greyhounds between the periods of 1980-86, I feel that the review of this experience was also unfair."*

The Applicant submitted the following in his Application for a Greyhound Licence - Class 3:

"I would like to provide in addition to my application a statement of claim to previous experience and training of which I strongly feel supports my application for an Owner/Trainer Licence Class 3.



From approximately 1980-1986, I assisted Greyhound Owner/Trainer Pat Jones in the training of racing greyhounds in North Qld. During this time I undertook the following duties;

• Training preparation of dogs including:

- Daily walking*
- Hand slipping dogs up a straight track up to three times a week*
- Use of walking machine in association with training*
- Massage of dogs after racing*
- Treatment of injuries after racing*

• Daily care which included:

- Feeding and watering*
- Use of supplements*
- Bathing*
- Worming and other medication as required*
- Care of dogs feet and teeth*
- Cleaning of kennels*
- Waste disposal*

I have more recently completed the following:

• Greyhound Kennel Assistant

- Attendant Written Assessment*
- Attendant Practical Assessment*
 - Fit collar and muzzle, walk a greyhound safely; fit a greyhound muzzle, fit and remove a race rug and load a greyhound properly into the starting boxes.*

• Statement of Attainment on greyhound training and competency requirements which includes a third party report indicating my Knowledge and abilities in the care and training of racing greyhounds.

Between the periods 1996 and 2002 I was a member of the Royal Australian Airforce and employed as a Police Dog Handler. As part of my training I undertook the following:

• 11 week course in Police Dog Handling which included:

- Kennel organisation and administration*
- Dog husbandry*



- *Dog training and fitness*
- *Dog obedience*
- *Ceremonial dog handling;*
- *Being awarded a Certificate III in Dog Handling (Nationally Recognised); and*
- *Being awarded the Dux of the Course.*
- *Formal employment as a police dog handler which included:*
 - *Managing and training all aspects of a police dog and its service life;*
 - *Managing operational kennel complexes which housed in excess of 20 operational police dogs;*
 - *Managing isolation kennels for new, sick, injured or dogs in heat*
 - *Daily feeding of dogs;*
 - *Cleaning of kennel complex;*
 - *Bathing of dogs;*
 - *Administer worming and treatment of dogs;*
 - *Maintain treatment registers;*
 - *Working closely with veterinarians;*
 - *Act as a mentor in the training of dogs for new handlers;*
 - *Assess dogs and handlers against competencies.*

Between the periods 2012 and 2018 I have been a registered dog breeder with Dogs Queensland and have successfully bred and reared many dogs. My experience has included:

- *Daily care of dogs including feedings, watering, feet and teeth care, bathing, exercise, treatments and vaccinations*
- *Managing dogs on heat*
- *Facilitating and controlling stud and dam mating's*
- *Assisting veterinarians with artificial insemination of dogs*
- *Care of the pregnant dog during and after whelping*
- *Monitoring and assisting with all aspects of whelping*
- *Rearing puppies which include weaning, administering worming and facilitating in consultation with a veterinarian all microchipping, vaccinations, DNA testing and pedigree paper administration.*



I have throughout my career acquired extensive experience and knowledge across a range of dog training methodologies and general care which includes training racing greyhounds, animal husbandry, dog obedience, dog mating and care of pregnant dogs, weaning and rearing dogs, police dog training and tracking. I have received training in the theoretical aspects of dog physiology, associated training methodologies and have formal education and certification in Animal Husbandry and Administration. I am very confident that I have acquired highly desirable skill sets that are suitable and or transferable and have provided sufficient evidence of previous experience in support of this application.

The reviewer accepts there is no criteria particular to the level of evidence or previous experience required within the pre-requisites listed in the aforementioned Standard to obtain a Greyhound Trainer Licence - Class 3.

The Standard particular to the 'requirements' for such licence includes:

Must formally demonstrate skills demonstrations in the following areas:

- *Education & Training of Racing Greyhounds*
- *Illness, Injuries, Treatment & Rehabilitations*
- *Compliance and Animal Welfare*

The reviewer is unaware whether such formal demonstrations were completed. Notwithstanding, the reviewer finds on the balance of evidence, in particular the Applicant's previous experience, it would be reasonable in all of the circumstances to conclude that the Applicant meets the pre-requisites and requirements of the Standard for a Greyhound Trainer Licence - Class 3 (particularly the Applicant's evidence of previous experience) and therefore is satisfied that the original decision, that being that the Applicant's Application for a Greyhound Trainer Licence - Class 3 is invalid, be set aside and the Applicant's Application for a Greyhound Trainer Licence - Class 3 be referred back to the Licensing and Registration Department of the Queensland Racing Integrity Commission for assessment

PART 5: Review Rights following Internal Review Decision

In accordance with section 246 of the *Racing Integrity Act 2016*, as the applicant for an internal review of the original decision, you are able to apply to the Queensland Civil and Administrative Tribunal (QCAT) for an external review of the internal review decision.

An external review is commenced by lodging the appropriate forms with QCAT. In accordance with section 33 of the *Queensland Civil and Administrative Tribunal Act 2009*, an application for an external review of an internal review decision is to be made within 28 days from the day this internal review decision notice is provided to the applicant.

For further information regarding the processes for an external review of the decision, please contact QCAT:

Queensland Civil and Administrative Tribunal

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