

## Steward's Report

**Date:** Tuesday, 15 September 2020

**Panel:** A. Kitching (Chair), A. Spence, D. Broxham & A. Turner

**Person:** John Hutchinson

**Rules:** GAR 86A & GAR 86B(1)(b)

**Penalty:** For charge 1 – A 6 month suspension (wholly suspended for 12 months)  
For Charge 2 – A 6 month suspension (wholly suspended for 12 months)

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### REPORT:

On 27<sup>th</sup> June 2019, the Integrity Investigations Team (IIT) conducted an inspection of a registered kennel address and a lure was found on the property suspected to be derived of animal materials. The lure was surrendered and sent for DNA testing at the Department of Primary Industries (DPI).

A report by the DPI was returned to the Queensland Racing Integrity Commission on 2 December 2019. The report detailed that although testing was conducted of a section that resembled an animal hide, DNA from species other than human was not able to be detected and that the lure was affected by microbial overgrowth.

Following the report from the DPI, the QRIC sent the lure to the Australian Centre for Wildlife Genomics for further testing on 13 January 2020. An analysis report of the lure was conducted and sent to the QRIC on 19 February 2020. The report by the Australian Centre for Wildlife Genomics confirmed that fibers on the lure that resembled an animal hide, were natural in origin.

On 15 September 2020, the QRIC conducted an inquiry and after considering submissions by Mr. Hutchinson's representative, the QRIC charged Mr. Hutchinson with a breach of Rule 86A and 86B(1)(b) of the Greyhound Australasian Rules of Racing.

Charge 1 (GAR86A):

*A person shall only use or have in their possession at any place where greyhounds are, or are to be kept, trained or educated or prepared to race, or racing, a lure that is approved by the Controlling Body*

Specifics:

*That on 27 June 2019, Mr. John Hutchinson did have at his registered kennel address in the vicinity of a day yard used by him, possession of an unapproved lure pursuant to the Queensland Local Rules of Racing LR50D.*

Charge 2 (GAR86B(1)(b):

*A person who, in the opinion of the Stewards or Controlling Body - 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, shall be disqualified for a period of not less than 10 years and, in addition shall be fined a sum not exceeding such amount as specified in the relevant Act or Rules, unless there is a finding that a special circumstance exists, whereupon a penalty less than the minimum penalty may be imposed.*

Specifics:

*That on 27 June 2019, Mr. John Hutchinson did have in his possession, at his registered kennel address, a lure found to have materials that were natural in origin, which might be capable of being used to entice, excite or encourage a greyhound to pursue it.*

Mr. Hutchinson pleaded not guilty to both charges and made further submissions to the panel.

After considering the submissions, Mr. Hutchinson was formally found guilty of both charges and addressed the panel on penalty. Mr. Hutchinson's representation made specific mention that he had no knowledge of the lure being present on the property and that the lure had been left in a completely dilapidated state.

Regarding penalty, the QRIC considered the following:

- That the offending behavior was at the lowest end of the spectrum of the range of conduct by the relevant rules;
- Mr. Hutchinson's time in the industry, being approximately 14 years with no prior breaches of a similar rule;
- Mr. Hutchinson's personal circumstances; and
- Relevant penalty precedents.

The QRIC also considered the following as special circumstances:

- The age and poor condition of the lure;
- The report from the DPI stating that significant microbial overgrowth was present on the lure; and
- That the Stewards were comfortably satisfied that based on the evidence available, Mr. Hutchinson had not used the lure for the purpose of training any greyhound.

In considering the above, the QRIC imposed the following penalties:

- For Charge 1: A 6 month suspension of Mr. Hutchinson's License
- For Charge 2: A 6 month suspension of Mr. Hutchinson's License

The QRIC ordered that both penalties be served concurrently. Acting under GAR 95(3), the QRIC wholly suspend both suspensions for a period of 12 months pending no further breaches of a similar rule.

Mr. Hutchinson was advised of the right to an internal review.