

Stewards' Report

Date: Friday, 28 October 2022

Panel: Ms A Turner (Chairperson), Mr M Fernholz

Person: Mr David Bailey

Rule: LR 24(2)(c), GAR 84(2)

Charge:

1. Was found to have a litter of greyhound pups in his care for which he was not appropriately licenced to rear
2. Was found to be in possession of substances that were not prescribed, labelled or dispensed in accordance with relevant State and Commonwealth legislation.

Penalty:

Charge 1: Licence suspension for a period of eight (8) weeks wholly suspended for a period of twelve (12) months

Charge 2: \$300.00 fine

Stewards of the Queensland Racing Integrity Commission today concluded an inquiry in respect of evidence obtained by the Integrity Investigations Stewards from a kennel inspection undertaken at the registered kennel address of licensed trainer Mr David Bailey on 23 February 2022, in which Mr Bailey was found to have a litter of greyhound pups in his care for which he was not appropriately licenced and was further found to be in possession of substances that were not prescribed, labelled or dispensed in accordance with relevant State and Commonwealth legislation.

After considering all of the evidence, Stewards issued two (2) charges to Mr Bailey as follows::

Charge 1: Issued pursuant to Queensland Local Rule of Racing 24(2)(c) effective as of 26 June 2017, which provides:

A person shall not rear, break in or pre-train a greyhound not owned by the person unless the person is the holder of an appropriate licence issued by Racing Queensland.

The specifics of Charge 1 were as follows:

That Mr David Bailey permitted the litter of greyhound pups by Bar Girl x Maurice Minor to remain under his care and control to be reared at his registered kennel address from 2 February 2022 when he was not the holder of an appropriate licence to do so.

Charge 2: Issued pursuant to Greyhounds Australasia Rule 84(2) effective as at 1 July 2016:

(2) A registered person who has in their possession at any place used in relation to the training or racing of a greyhound, any quantity of a prohibited substance commits an offence unless that substance has been registered or labelled, or prescribed, dispensed or obtained, in compliance with the relevant State or Commonwealth legislation.

The specifics of Charge 2 were as follows:

That Mr David Bailey, a registered person with the Queensland Racing Integrity Commission, was found to be in possession of various substances at his registered kennel address on 23 February 2022, which substances had not been labelled, prescribed or dispensed in compliance with relevant State or Commonwealth legislation.

Mr Bailey entered a plea of guilty to both Charge 1 and Charge 2 and made brief submissions to the Stewards regarding penalty.

In determining penalty, Stewards considered the following:

- Mr Bailey's plea of guilty to both charges at the earliest available opportunity;
- Mr Bailey's time in the greyhound racing industry as a trainer, being approximately two (2) years;
- Mr Bailey's forthright evidence and cooperation throughout the inquiry;
- Mr Bailey's disciplinary history, noting no prior offences of a similar nature;
- the nature of Mr Bailey's offending, being the rearing of a litter of pups when he did not hold the appropriate licence to do so and the possession of substances that were not prescribed, labelled, or dispensed in accordance with relevant State and Commonwealth legislation;
- that holding a licence within the greyhound racing industry is a privilege, not a right, and it is the participant's responsibility to comply with his/her obligations under the Greyhounds Australasia Rules;
- the need for both specific deterrence to Mr Bailey and general deterrence to the wider industry; and
- relevant penalty precedents.

Accordingly, the Stewards imposed the following penalties:

Charge 1: Suspension of Mr Bailey's licence for a period of eight (8) weeks with the penalty being wholly suspended pursuant to Greyhounds Australasia Rule 174(3) for a period of twelve (12) months conditional upon no further breaches of a similar nature.

Charge 2: A fine in the amount of \$300.00.

Mr Bailey was advised of his right to an Internal Review.