

Stewards' Report

Date: Wednesday, 15 June 2023
Panel: Mr M Fernholz (Chairperson), Mr D Broxham
Person: Mr Darryl Sutton
Rule: GAR 164(a), GAR24(1)
Charges: Mr Darryl Sutton

1. Made false statements to Stipendiary Stewards on two (2) separate occasions at a kennel inspection on the 10 March 2023 and during a telephone interview on 23 March 2023.
2. Did rehome a greyhound to a third party and failed to comply to the mandatory sterilisation requirements.

Penalty: Charge 1: Three (3) months suspension effective immediately
Charge 2: \$1000.00 fine with \$250.00 wholly suspended for a period of Twelve (12) months.

On 15 June 2023, Queensland Racing Integrity Commission (QRIC) Stewards concluded an inquiry in respect of evidence obtained by Stipendiary Stewards resulting from a kennel inspection undertaken at the registered kennel address of licensed trainer Mr Darryl Sutton and a subsequent telephone interview held with licensed trainer Mr Darryl Sutton.

On 10 March 2023, Stipendiary Stewards conducted a routine kennel inspection at Mr Sutton's registered kennel address. During the inspection Stewards questioned Mr Sutton regarding the whereabouts of registered greyhound Flying Malou, that was listed in his care and was not on the property, Mr Sutton stated Flying Malou was away with his wife for several days. On the 10 March 2023 Stewards were contacted by a third party stating the dog was with them and had been for some months and was not desexed. On the 23 March Stipendiary Stewards conducted a telephone interview with Mr Sutton. During the interview Stewards questioned Mr Sutton regarding the whereabouts of Flying Malou that was listed in his care and was not on the property at the time of the recent kennel inspection, Mr Sutton stated the dog had been away with his wife and on his wife's return Flying Malou had been rehomed to a third party. Stewards considered all evidence and determined that Mr Sutton had made false and misleading statements on two (2) occasions to Stewards and Mr Sutton had failed to comply to the mandatory sterilisation requirements. Mr Sutton disregarded the option to be remunerated under Racing Queensland's Greyhound Retirement Readiness Scheme.

After considering all the evidence, Stewards issued two (2) charges to Mr Sutton pursuant to Greyhounds Australasia Rules as follows:

Charge 1: Issued pursuant to Greyhounds Australasia Rule 164(a) which provides:

An offence is committed if a *person*:

- (a) makes a false or misleading statement in relation to or during an investigation, inspection, examination, test or inquiry (or at any other disciplinary process, hearing or appeal proceeding) or makes or causes to be made a falsification in a *document* in connection with *greyhound racing* or the registration of a *greyhound*.

The specifics of Charge 1 were as follows:

That Mr Darryl Sutton, a licensed greyhound trainer made a false statement to Stipendiary Stewards at a kennel inspection at his registered address on 10 March 2023. Mr Sutton made a false statement to Stipendiary Stewards in a telephone interview on the 23 March 2023, with the false statement being that:

The whereabouts of the greyhound Flying Malou was with his wife when in fact Flying Malou had been rehomed to a third party.

Charge 2: Issued pursuant to Greyhounds Australasia Rule 24(1) which provides:

Unless a *greyhound* is being accepted by an adoption agency approved by a *Controlling Body* that undertakes sterilisation, the *owner* or *person* responsible for the *greyhound* at the time of such retirement as a pet must ensure that the *greyhound* has been surgically sterilised by a *veterinarian* before allowing the *greyhound* to leave their care and custody, except where a *veterinarian* certifies after examining that *greyhound*, to the satisfaction of a *Controlling Body*, that being surgically sterilised would be detrimental to its welfare.

The specifics of Charge 2 were as follows:

That Mr Darryl Sutton, a licensed greyhound trainer did rehome a greyhound to a third party and failed to comply to the mandatory sterilisation requirements.

Mr Sutton entered a plea of guilty to all charges and made brief submissions to the stewards regarding penalty.

Stewards considered the following when determining penalty:

- Mr Sutton's plea of guilty to all charges at the earliest available opportunity;
- Mr Sutton's time in the greyhound racing industry, being approximately forty-three (43) years;
- Mr Sutton's personal and financial circumstances;
- Mr Sutton's forthright evidence and cooperation throughout the inquiry;
- The need for both specific deterrence to Mr Sutton and general deterrence to the wider industry; and
- Relevant penalty precedents.

Accordingly, the Stewards issued the following penalties:

Charge 1: Three (3) month suspension effective immediately

Charge 2: A fine of \$1000.00 with stewards electing to wholly suspend \$250.00 for a period of Twelve (12) months acting under Greyhounds Australasia Rule 174(3) conditional upon no similar breach of the Greyhounds Australasia Rules.

Mr Sutton was advised of his right to appeal.