

Stewards' Report

Date: Tuesday, 23 January 2024
Panel: Mr R Jackson (Chairperson), Mr N Thorneycroft, Ms R Pedersen
Person: Mr Peter O'Reilly
Rule: LR 12
Charge: Mr Peter O'Reilly, a licensed greyhound trainer and breeder, utilised barking muzzles on two (2) greyhounds on 22 November 2023 without the approval of the Controlling Body.
Penalty: \$1,000.00 fine with \$500.00 wholly and conditionally suspended for twelve (12) months

On 23 January 2024, the Queensland Racing Integrity Commission Stewards concluded an inquiry in respect of evidence obtained from a kennel inspection undertaken at the registered kennel address of licensed trainer Mr Peter O'Reilly on 22 November 2023 at which two (2) greyhounds, being Aces Up and Buster Up, were found with affixed barking muzzles that had not been approved by the Queensland Racing Integrity Commission.

Submissions were made by Mr Peter O'Reilly during the inquiry as the licensed trainer of the subject greyhounds.

After considering all of the evidence, Stewards issued a charge pursuant to Queensland Local Rule of Racing 12, which provides:

In accordance with GAR30(2)(a), a barking muzzle may be approved by the controlling body for limited use provided that:

- (1) it does not completely close the greyhound's mouth and allows for reasonable jaw movement.*
- (2) is appropriately sized and fitted by a licensed person so as to not cause pain, injury or distress; and*
- (3) is utilised strictly under the conditions outlined in Schedule 1 of the Local Rules.*

The specifics of the charge were as follows:

That Mr Peter O'Reilly, a licensed greyhound trainer and breeder, did utilise barking muzzles on two (2) greyhounds, being Aces Up and Buster Up, on 22 November 2023 without the approval of the Controlling Body.

Mr O'Reilly entered a plea of guilty to the charge and made brief submissions to the Stewards regarding penalty.

In determining penalty, Stewards considered the following:

- Mr O'Reilly's plea of guilty to the charge at the earliest available opportunity.
- Mr O'Reilly's time in the greyhound racing industry as a trainer, being approximately fifteen (15) years.
- Mr O'Reilly's disciplinary history, noting no prior breaches of a similar nature.
- Mr O'Reilly's forthright evidence throughout the inquiry.
- The nature of Mr O'Reilly's offending, being the utilisation of unapproved barking muzzles, together with Mr O'Reilly's submissions regarding the circumstances of the offending.
- That holding a licence within the greyhound racing industry is a privilege, not a right, and it is the participant's responsibility to familiarise themselves with the applicable rules and further to comply with his/her obligations under the applicable rules.
- The need for both specific deterrence to Mr O'Reilly and general deterrence to the wider industry.
- Relevant penalty precedents; and
- the *Human Rights Act 2019*.

Accordingly, the Stewards imposed a monetary penalty in the amount of \$1,000.00 with \$500.00 wholly suspended for a period of twelve (12) months conditional upon no further breach of a similar nature.

Mr O'Reilly was advised of his right to a review of the decision.