

Stewards' Report

Date: Tuesday, 25 June 2024

Panel: Mr W Hadley (Chairperson), Ms A Turner, Mr M Fernholz, Mr N Thorneycroft

Person: Mrs Donna Howarth

Rule: GAR 21(1)(c), GAR 21(1)(d), GAR 22(1)(b), GAR 156(h)

Charge:

1. Mrs Howarth failed to notify the Queensland Racing Integrity Commission in writing within ten (10) days of the greyhound Sassy Sal being euthanised
2. Mrs Howarth failed to provide veterinary attention when necessary to the greyhound Peyton's Wish on or about 21 October 2023 to 24 October 2023
3. Mrs Howarth failed to comply with a Stewards' Direction issued on 22 January 2024
4. Mrs Howarth failed to provide kennels of a standard approved by a Controlling Body

Penalty:

Charge 1: \$300.00 fine

Charge 2: One (1) year disqualification

Charge 3: Three (3) month suspension

Charge 4: Withdrawn

Stewards of the Queensland Racing Integrity Commission today concluded an inquiry in respect of various animal welfare matters which arose from a registered kennel address of licensed trainer and registered owner Mrs Donna Howarth.

On 22 January 2024, the Stewards imposed an interim suspension upon Mrs Howarth's licence and registration pending the outcome of the stewards' inquiry in respect of a number of alleged breaches of animal welfare standards.

On 14 February 2024, Stewards heard evidence from Mrs Howarth, her husband Mr Stephen Howarth, and Ms Sara Howarth, regarding the material contained within the Brief of Evidence issued to Mrs Howarth on 15 January 2024.

On 30 April 2024, Stewards issued four (4) charges to Mrs Howarth in respect of various breaches of the Greyhounds Australasia Rules as follows:

Charge 1: Issued pursuant to Greyhounds Australasia Rule 22(1)(b), which provides:

At any time after the result of service pursuant to rule 71, the owner or person responsible for the greyhound at the relevant time must notify the Controlling Body where the greyhound is domiciled in writing:

(b) within 10 days if that greyhound has been humanely euthanased by a veterinarian, and it is a mandatory requirement under the Rules to include a veterinary certificate of euthanasia when lodging the relevant documentation for any greyhound that has been euthanased by that veterinarian

The specifics of Charge 1 were as follows:

On 21 June 2023, Mrs Donna Howarth, as the owner and person responsible for the greyhound Sassy Sal, failed to notify the Queensland Racing Integrity Commission in writing that Sassy Sal had been euthanised within ten (10) days of that greyhound being euthanised.

Charge 2: Issued pursuant to Greyhounds Australasia Rule 21(1)(d), which provides:

A person must ensure that any greyhound in the person's care or custody, is at all times provided with:

(d) veterinary attention when necessary

The specifics of Charge 2 were as follows:

Between 20 October 2023 and 24 October 2023, Mrs Donna Howarth failed to provide the greyhound Peyton's Wish with veterinary attention when necessary when that greyhound sustained a laceration to its left hind limb that was five (5) centimetres long by six (6) centimetres deep as a result of a dog attack whilst that greyhound was in her care or custody resulting in Peyton's Wish undergoing surgery on 24 October 2023.

Charge 3: Issued pursuant to Greyhounds Australasia Rule 156(h), which provides:

(h) disobeys or fails to comply with a lawful order of a Controlling Body, the Stewards, or another person authorised by a Controlling Body with official duties in relation to greyhound racing

The specifics of Charge 3 were as follows:

On 22 January 2024, Mrs Donna Howarth was issued a lawful order by Queensland Racing Integrity Commission Deputy Chief Steward Aleisha Turner to seek approval from the Stewards prior to transferring greyhounds from her care and custody, and she failed to do so in that she transferred the greyhounds Only A Winner, Peyton's Wish, Where's Mum and Zara Go On from her care and custody to a third party without the approval of the Stewards.

Charge 4: Issued pursuant to Greyhounds Australasia Rule 21(1)(c), which provides:

A person must ensure that any greyhound in the person's care or custody, is at all times provided with:

(c) kennels constructed and of a standard approved by a Controlling Body which are adequate in size and which are kept in a clean and sanitary condition

The specifics of Charge 4 were as follows:

Between June 2023 and February 2024, Mrs Donna Howarth failed to provide kennels of a standard approved by the Queensland Racing Integrity Commission at all times to greyhounds in your care and custody, with those greyhounds being Only A Winner, Peyton's Wish, Where's Mum and Zara Go On.

Mrs Howarth entered a plea of not guilty to all four (4) charges and provided brief submissions in respect of her pleas.

Stewards considered Mrs Howarth's further submissions and withdrew Charge 4 with the Stewards finding the remaining three (3) charges proven.

Mrs Howarth was provided the opportunity to make submissions in respect of penalty but failed to do so.

In determining penalty, Stewards considered the following:

- Mrs Howarth's plea of not guilty to all charges;
- Mrs Howarth's disciplinary history, noting no prior breaches of a similar nature;
- Mrs Howarth's personal circumstances and general background, noting that she:
 - (i) is sixty-one (61) years of age;
 - (ii) has been a licensed trainer in the greyhound racing industry for approximately four (4) years;
- the nature, circumstances and objective seriousness of Mrs Howarth's offending, noting that:
 - (i) Ms Howarth's offending is of a very serious nature in the opinion of the Stewards, in that her offending centred around her failure to provide veterinary attention when necessary to a greyhound in her care or custody, resulting in that greyhound requiring surgery due to its injuries with the objective seriousness being a failure to do all that was required, not a failure to do anything;
 - (ii) Mrs Howarth's non-compliance with euthanasia notification requirements and a stewards' direction;
- Mrs Howarth's offending infringes significantly upon the integrity of the greyhound racing industry in that the health and welfare of greyhounds is of paramount importance to the greyhound itself and also to the industry and it is therefore vital that animal welfare is maintained at all times in respect of all greyhounds;

- matters that impinge on the welfare of greyhounds are matters that the Stewards consider significantly serious and the penalties imposed will almost always involve disqualifications from the industry for lengthy periods, even if they are participants without any previous disciplinary history;
- that holding a licence within the greyhound racing industry is a privilege, not a right, and with that privilege comes a responsibility to be compliant with the rules of racing and truthful in all dealings with the Stewards, so that the Stewards may perform their functions effectively;
- the requirement for penalties to act as both a specific deterrent to Mrs Howarth, as her conduct fell considerably below the expected standard, and as a general deterrent to the wider racing industry by sending a clear message to participants, who may be like-minded in actions similar, that such conduct cannot be in the interests and welfare of a greyhound and must therefore be denounced;
- relevant precedents;
- the Queensland Racing Integrity Commission Greyhound Racing Penalty Guidelines; and
- the Human Rights Act 2019.

Accordingly, the Stewards imposed the following penalties:

Charge 1: \$300.00 fine.

Charge 2: One (1) year disqualification.

Charge 3: Three (3) month suspension.

Charge 4: Withdrawn.

Stewards directed that the total period of **disqualification of one (1) year** be backdated to 22 January 2024, being the date Mrs Howarth's licence and registration were suspended on an interim basis by the Stewards, together with a **\$300.00 fine** and a **licence suspension of three (3) months** to be served upon the expiration of the disqualification period, being 21 January 2025, and upon subsequently being re-licensed.

Mrs Howarth was advised of her right to a review of the decision.