

## Stewards' Report

- Date:** Tuesday, 25 June 2024
- Panel:** Mr W Hadley (Chairperson), Ms A Turner, Mr M Fernholz, Mr N Thorneycroft
- Person:** Ms Sara Howarth
- Rule:** GAR 21(1)(d), GAR 21(2), GAR 21(3), GAR 156(f)(ii), GAR164(a)
- Charge:**
1. Ms Howarth failed to provide veterinary attention when necessary to the greyhound Peyton's Wish on or about 21 October 2023 to 24 October 2023
  2. Ms Howarth omitted to provide veterinary attention when necessary to the greyhound Peyton's Wish on or about 21 October 2023 to 24 October 2023 which conduct, in the opinion of the Stewards, constituted negligence
  3. Ms Howarth failed to exercise the care and supervision necessary to prevent Peyton's Wish from being subjected to unnecessary pain or suffering on or about 21 October 2023 to 24 October 2023
  4. Ms Howarth omitted to exercise the care and supervision necessary to prevent Peyton's Wish from being subjected to unnecessary pain or suffering on or about 21 October 2023 to 24 October 2023 which conduct, in the opinion of the Stewards, constituted negligence
  5. Ms Howarth failed to provide veterinary attention when necessary to the greyhound Tommy Tornado on or about 4 December 2023 to 6 October 2023
  6. Ms Howarth omitted to provide veterinary attention when necessary to the greyhound Tommy Tornado on or about 4 December 2023 to 6 October 2023 which conduct, in the opinion of the Stewards, constituted negligence
  7. Ms Howarth failed to exercise the care and supervision necessary to prevent Tommy Tornado from being subjected to unnecessary pain or suffering on or about 4 December 2023 to 6 December 2023
  8. Ms Howarth omitted to exercise the care and supervision necessary to prevent Tommy Tornado from being subjected to unnecessary pain or suffering on or about 4 December 2023 to 6 December 2023 which conduct, in the opinion of the Stewards, constituted negligence
  9. Ms Howarth permitted a condition that was likely to be dangerous to the welfare and safety of the Tommy Tornado on or about 4 December 2023
  10. Ms Howarth permitted a condition that was likely to be dangerous to the welfare and safety of the unnamed greyhound 956000013131230 on or about 8 December 2023
  11. Ms Howarth failed to provide veterinary attention when necessary to the unnamed greyhound 956000013131230 on or about 22 December 2023 to 28 December 2023
  12. Ms Howarth omitted to provide veterinary attention when necessary to the unnamed greyhound 956000013131230 on or about 22 December 2023 to 28 December 2023 which conduct, in the opinion of the Stewards, constituted negligence

13. Ms Howarth failed to exercise the care and supervision necessary to prevent unnamed greyhound 956000013131230 from being subjected to unnecessary pain or suffering on or about 22 December 2023 to 28 December 2023

14. Ms Howarth omitted to exercise the care and supervision necessary to prevent unnamed greyhound 956000013131230 from being subjected to unnecessary pain or suffering on or about 22 December 2023 to 28 December 2023 which conduct, in the opinion of the Stewards, constituted negligence

15. Ms Howarth gave false and misleading evidence to Stewards on 16 February 2024

**Penalty:**

Charge 1: Withdrawn

Charge 2: Six (6) month suspension

Charge 3: Withdrawn

Charge 4: Six (6) month suspension to be served concurrently with Charge 2

Charge 5: One (1) year disqualification to be served concurrently with Charge 7

Charge 6: Withdrawn

Charge 7: Two (2) year disqualification

Charge 8: Withdrawn

Charge 9: Reprimand

Charge 10: \$500.00 fine

Charge 11: One (1) year disqualification

Charge 12: Withdrawn

Charge 13: One (1) year disqualification to be served concurrently with Charge 11

Charge 14: Withdrawn

Charge 15: Nine (9) month disqualification

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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 at which licensed kennel attendant and registered owner Ms Sara Howarth resided.

On 22 January 2024, the Stewards imposed an interim suspension upon Ms 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 Ms Howarth, her father Mr Stephen Howarth, and Mrs Donna Howarth, regarding the material contained within the Brief of Evidence issued to Ms Howarth on 15 January 2024.

On 30 April 2024, Stewards issued fifteen (15) charges to Ms Howarth in respect of various breaches of the Greyhounds Australasia Rules as follows:

**Charge 1:** 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 1 were as follows:

Between 20 October 2023 and 24 October 2023, Ms Sara 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 2 (in the alternative to Charge 1):** Issued pursuant to Greyhounds Australasia Rule 156(f)(ii), which provides:

*A person (including an official) shall be guilty of an offence if the person -*

*(f) has, in relation to a greyhound or greyhound racing, done something, or omitted to do something, which, in the opinion of a Controlling Body or the Stewards:*

*(ii) constitutes misconduct or is negligent or improper*

The specifics of Charge 2 were as follows:

Between 20 October 2023 and 24 October 2023, Ms Sara Howarth omitted 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 which, in the opinion of the Stewards, constitutes negligence.

**Charge 3:** Issued pursuant to Greyhounds Australasia Rule 21(2), which provides:

*A person must exercise the care and supervision necessary to prevent a greyhound under the person's care or custody from being subjected to unnecessary pain or suffering, or from anything which is likely to lead to unnecessary pain or suffering*

The specifics of Charge 3 were as follows:

Between 20 October 2023 and 24 October 2023, Ms Sara Howarth failed to exercise the care and supervision necessary to prevent Peyton's Wish, being a greyhound in her care or custody, from being subjected to unnecessary pain or suffering after failing to provide veterinary attention to that greyhound when Peyton's Wish sustained a laceration that was five (5) centimetres long by six (6) centimetres deep requiring surgery as a result of a dog attack.

**Charge 4 (in the alternative to Charge 3):** Issued pursuant to Greyhounds Australasia Rule 156(f)(ii), which provides:

*A person (including an official) shall be guilty of an offence if the person -*

*(f) has, in relation to a greyhound or greyhound racing, done something, or omitted to do something, which, in the opinion of a Controlling Body or the Stewards:*

*(ii) constitutes misconduct or is negligent or improper*

The specifics of Charge 4 were as follows:

Between 20 October 2023 and 24 October 2023, Ms Sara Howarth omitted to exercise the care and supervision necessary to prevent Peyton's Wish, being a greyhound in her care or custody, from being subjected to unnecessary pain or suffering after failing to provide veterinary attention for that greyhound when Peyton's Wish sustained a laceration that was five (5) centimetres long by six (6) centimetres deep as a result of a dog attack which, in the opinion of the Stewards, constitutes negligence.

**Charge 5:** 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 5 were as follows:

Between 3 December 2023 and 6 December 2023, Ms Sara Howarth failed to provide the greyhound Tommy Tornado with veterinary attention when necessary, when that greyhound sustained open wounds with swelling to its upper left shoulder and right hind limb as a result of a dog attack whilst that greyhound was in her care or custody resulting in Tommy Tornado being euthanised on 6 December 2023.

**Charge 6 (in the alternative to Charge 5):** Issued pursuant to Greyhounds Australasia Rule 156(f)(ii), which provides:

*A person (including an official) shall be guilty of an offence if the person -*

*(f) has, in relation to a greyhound or greyhound racing, done something, or omitted to do something, which, in the opinion of a Controlling Body or the Stewards:*

*(ii) constitutes misconduct or is negligent or improper*

The specifics of Charge 6 were as follows:

Between 3 December 2023 and 6 December 2023, Ms Sara Howarth omitted to provide the greyhound Tommy Tornado with veterinary attention when necessary, when that greyhound sustained open wounds with swelling to its upper left shoulder and right hind limb as a result of a dog attack whilst that greyhound was in her care or custody which, in the opinion of the Stewards, constitutes negligence.

**Charge 7:** Issued pursuant to Greyhounds Australasia Rule 21(2), which provides:

*A person must exercise the care and supervision necessary to prevent a greyhound under the person's care or custody from being subjected to unnecessary pain or suffering, or from anything which is likely to lead to unnecessary pain or suffering*

The specifics of Charge 7 were as follows:

Between 3 December 2023 and 6 December 2023, Ms Sara Howarth failed to exercise the care and supervision necessary to prevent Tommy Tornado, being a greyhound in her care or custody, from being subjected to unnecessary pain or suffering after failing to provide veterinary attention to that greyhound when Tommy Tornado sustained open wounds with swelling and was subsequently euthanised as a result of a dog attack.

**Charge 8 (in the alternative to Charge 7):** Issued pursuant to Greyhounds Australasia Rule 156(f)(ii), which provides:

*A person (including an official) shall be guilty of an offence if the person -*

*(f) has, in relation to a greyhound or greyhound racing, done something, or omitted to do something, which, in the opinion of a Controlling Body or the Stewards:*

*(ii) constitutes misconduct or is negligent or improper*

The specifics of Charge 8 were as follows:

Between 3 December 2023 and 6 December 2023, Ms Sara Howarth omitted to exercise the care and supervision necessary to prevent Tommy Tornado, being a greyhound in her care or custody, from being subjected to unnecessary pain or suffering after failing to provide veterinary attention to that greyhound when Tommy Tornado sustained open wounds with swelling as a result of a dog attack which, in the opinion of the Stewards, constitutes negligence.

**Charge 9:** Issued pursuant to Greyhounds Australasia Rule 21(3), which provides:

*A person shall not cause or permit, on any premises owned or occupied by that person, any condition that is likely to be dangerous to the health, welfare or safety of that greyhound*

The specifics of Charge 9 were as follows:

Between 3 December 2023 and 6 December 2023, Ms Sara Howarth, permitted a condition that was likely to be dangerous to the welfare and safety of the greyhound Tommy Tornado in that she permitted the unnamed greyhound 956000013131230, which had a known history of being aggressive and attacking other greyhounds, to be unsupervised in an area with Tommy Tornado, resulting in unnamed greyhound 956000013131230 attacking Tommy Tornado, and Tommy Tornado being euthanised.

**Charge 10:** Issued pursuant to Greyhounds Australasia Rule 21(3), which provides:

*A person shall not cause or permit, on any premises owned or occupied by that person, any condition that is likely to be dangerous to the health, welfare or safety of that greyhound*

The specifics of Charge 10 were as follows:

On 8 December 2023, Ms Sara Howarth permitted a condition that was likely to be dangerous to the welfare and safety of the unnamed greyhound 956000013131230 in that she affixed a modified muzzle to the unnamed greyhound 956000013131230 which likely restricted access to food and water with that greyhound being left unsupervised.

**Charge 11:** 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 11 were as follows:

Between 21 December 2023 and 28 December 2023, Ms Sara Howarth failed to provide the unnamed greyhound 956000013131230 with veterinary attention when necessary, when that greyhound sustained several open wounds with exposed bone as a result of a dog attack whilst in her care or custody resulting in unnamed greyhound 956000013131230 undergoing surgery on 28 December 2023.

**Charge 12 (in the alternative to Charge 11):** Issued pursuant to Greyhounds Australasia Rule 156(f)(ii), which provides:

*A person (including an official) shall be guilty of an offence if the person -*

*(f) has, in relation to a greyhound or greyhound racing, done something, or omitted to do something, which, in the opinion of a Controlling Body or the Stewards:*

*(ii) constitutes misconduct or is negligent or improper*

The specifics of Charge 12 were as follows:

Between 21 December 2023 and 28 December 2023, Ms Sara Howarth omitted to provide the unnamed greyhound 956000013131230 with veterinary attention when necessary when that greyhound sustained several open wounds with exposed bone as a result of a dog attack whilst in her care or custody which, in the opinion of the Stewards, constitutes negligence.

**Charge 13:** Issued pursuant to Greyhounds Australasia Rule 21(2), which provides:

*A person must exercise the care and supervision necessary to prevent a greyhound under the person's care or custody from being subjected to unnecessary pain or suffering, or from anything which is likely to lead to unnecessary pain or suffering*

The specifics of Charge 13 were as follows:

Between 21 December 2023 and 28 December 2023, Ms Sara Howarth failed to exercise the care and supervision necessary to prevent unnamed greyhound 956000013131230, being a greyhound in her care or custody, from being subjected to unnecessary pain or suffering after failing to provide veterinary attention to that greyhound when unnamed greyhound 956000013131230 sustained several open wounds with exposed bone requiring surgery as a result of a dog attack.

**Charge 14 (in the alternative to Charge 13):** Issued pursuant to Greyhounds Australasia Rule 156(f)(ii), which provides:

*A person (including an official) shall be guilty of an offence if the person -*

*(f) has, in relation to a greyhound or greyhound racing, done something, or omitted to do something, which, in the opinion of a Controlling Body or the Stewards:*

*(ii) constitutes misconduct or is negligent or improper*

The specifics of Charge 14 were as follows:

Between 21 December 2023 and 28 December 2023, Ms Sara Howarth omitted to exercise the care and supervision necessary to prevent unnamed greyhound 956000013131230, being a greyhound in her care or custody, from being subjected to unnecessary pain or suffering after failing to provide veterinary attention to that greyhound when unnamed greyhound 956000013131230 sustained several open wounds with exposed bone as a result of a dog attack which, in the opinion of the Stewards, constitutes negligence.

**Charge 15:** Issued pursuant to Greyhounds Australasia Rule 164(a), which provides:

*An offence is committed if a person (including an official):*



*(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 15 were as follows:

On 16 February 2024, Ms Sara Howarth made a false statement to the Queensland Racing Integrity Commission Stewards via email with the false statement being that the dog attack on the unnamed greyhound 956000013131230 occurred on 26 December 2023 knowing that statement to be false when in fact the subject dog attack occurred on 22 December 2023.

Ms Howarth failed to enter a plea to any of the fifteen (15) charges.

Stewards subsequently withdrew Charge 1, 3, 6, 8, 12 and 14 with the Stewards finding the remaining nine (9) charges proven.

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

In determining penalty, Stewards considered the following:

- the absence of any plea to all charges;
- Ms Howarth's disciplinary history, noting no prior breaches of a similar nature;
- Ms Howarth's personal circumstances and general background, noting that she:
  - (i) is forty (40) years of age;
  - (ii) has been a licensed kennel attendant in the greyhound racing industry for approximately eight (8) months;
- the nature, circumstances and objective seriousness of Ms 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 greyhounds in her care or custody, resulting in those greyhounds requiring surgery or being euthanised due to their injuries with the objective seriousness being a failure to do all that was required, not a failure to do anything;
  - (ii) as a result of Ms Howarth's failure to provide veterinary attention when necessary to the greyhounds in her care or custody, those greyhounds were subjected to



unnecessary pain or suffering (with a greyhound being subjected to such pain or suffering for (six) days prior to veterinary attention being provided);

- (iii) Ms Howarth permitted a condition likely to be dangerous to the health, welfare or safety of the greyhounds at her premises on two (2) occasions with one occasion resulting in a dog attack with a greyhound being euthanised due to its injuries;
  - (iv) Ms Howarth gave false and misleading evidence in respect of a dog attack with Stewards being of the opinion that any false and misleading evidence, particularly regarding animal welfare, should attract a significant penalty as it undermines the integrity of the racing industry and is critical for the proper conduct and administration of the industry;
- Ms Howarth's failure to act upon her conclusions that veterinary attention was immediately required for the greyhounds in her care or custody, resulting in pain and suffering being endured by those greyhounds due to the absence of any veterinary attention;
  - Ms 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 Ms 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:** Withdrawn.

**Charge 2:** Six (6) month suspension.

**Charge 3:** Withdrawn.

**Charge 4:** Six (6) month suspension to be served concurrently with Charge 2 as it arose out of the same general course of conduct relevant to the breach detailed in Charge 2.

**Charge 5:** One (1) year disqualification to be served concurrently with Charge 7 as it arose out of the same general course of conduct relevant to the breach detailed in Charge 7.

**Charge 6:** Withdrawn.

**Charge 7:** Two (2) year disqualification.

**Charge 8:** Withdrawn.

**Charge 9:** Reprimand.

**Charge 10:** \$500.00 fine.

**Charge 11:** One (1) year disqualification.

**Charge 12:** Withdrawn.

**Charge 13:** One (1) year disqualification to be served concurrently with Charge 11 as it arose out of the same general course of conduct relevant to the breach detailed in Charge 11.

**Charge 14:** Withdrawn.

**Charge 15:** Nine (9) month disqualification.

Stewards directed that the total period of **disqualification of three (3) years and nine (9) months** be backdated to 22 January 2024, being the date Ms Howarth's licence and registration were suspended on an interim basis by the Stewards, together with a **\$500.00 fine**, a **reprimand**, and a **licence suspension of six (6) months** to be served upon the expiration of the disqualification period, being 21 October 2027, and upon subsequently being re-licensed.

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