

Stewards' Report

- Date:** Tuesday, 25 June 2024
- Panel:** Mr W Hadley (Chairperson), Ms A Turner, Mr M Fernholz, Mr N Thorneycroft
- Person:** Mr Stephen Howarth
- Rule:** GAR 21(1)(d), GAR 21(2), GAR 21(3), GAR 148(2), GAR 156(h), GAR164(a)
- Charge:**
1. Mr Howarth permitted a condition that was likely to be dangerous to the welfare and safety of the greyhound Sassy Sal on or about 21 June 2023
 2. Mr Howarth failed to provide veterinary attention when necessary to the greyhound Lenny Boy on or about 27 August 2023
 3. Mr Howarth administered a medication to the greyhound Distance Danny when that medication was not labelled, prescribed, dispensed and obtained in accordance with relevant Commonwealth, state and territory legislation between 1 August 2023 and 31 August 2023
 4. Mr Howarth failed to provide veterinary attention when necessary to the greyhound Clover on or about 11 October 2023
 5. Mr Howarth failed to provide veterinary attention when necessary to the greyhound Peyton's Wish on or about 21 October 2023 to 24 October 2023
 6. Mr 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
 7. Mr Howarth failed to provide veterinary attention when necessary to the greyhound Tommy Tornado on or about 4 December 2023 to 6 October 2023
 8. Mr 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
 9. Mr Howarth failed to comply with four (4) Stewards' Directions issued on 15 December 2023;
 10. Mr Howarth failed to provide veterinary attention when necessary to the unnamed greyhound 956000013131230 on or about 22 December 2023 to 28 December 2023
 11. Mr 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
 12. Mr Howarth permitted a condition that was likely to be dangerous to the welfare and safety of the unnamed greyhound 956000013131230 on or about 22 December 2023
 13. Mr Howarth failed to comply with a Stewards' Direction issued on 22 January 2024
 14. Mr Howarth failed to comply with a Stewards' Direction issued on 22 January 2024
 15. Mr Howarth gave false and misleading evidence at a stewards' inquiry on 14 February 2024
 16. Mr Howarth failed to provide kennels of a standard approved by a Controlling Body

Penalty:

- Charge 1: One (1) year disqualification
- Charge 2: Withdrawn
- Charge 3: \$300.00 fine
- Charge 4: One (1) year disqualification
- Charge 5: One (1) year disqualification
- Charge 6: One (1) year disqualification to be served concurrently with Charge 5
- Charge 7: One (1) year disqualification to be served concurrently with Charge 8
- Charge 8: Two (2) year disqualification
- Charge 9: Six (6) month suspension
- Charge 10: Three (3) year disqualification
- Charge 11: Three (3) year disqualification to be served concurrently with Charge 10
- Charge 12: One (1) year disqualification
- Charge 13: Three (3) month suspension
- Charge 14: Three (3) month suspension to be served concurrently with Charge 13
- Charge 15: Six (6) month disqualification
- Charge 16: 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 Mr Stephen Howarth.

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

On 30 April 2024, Stewards issued sixteen (16) charges to Mr Howarth in respect of various breaches of the Greyhounds Australasia Rules as follows:

Charge 1: 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 1 were as follows:

On 21 June 2023, Mr Stephen Howarth permitted a condition that was likely to be dangerous to the welfare and safety of the greyhound Sassy Sal in that he permitted four (4) greyhounds to be unmuzzled

and unsupervised in an area that had inadequate fencing resulting in those four (4) greyhounds attacking Sassy Sal, and Sassy Sal 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 August 2023 and 27 August 2023, Mr Stephen Howarth failed to provide the greyhound Lenny Boy with veterinary attention when necessary, when that greyhound was found with a tail injury whilst in his care or custody on 20 August 2023 at the Capalaba Greyhound Racing Club with the on-track veterinarian recommending further assessment of the injury by an off-track veterinarian which Mr Howarth failed to act upon as of 27 August 2023 resulting in Lenny Boy undergoing surgery on 31 August 2023.

Charge 3: Issued pursuant to Greyhounds Australasia Rule 148(2), which provides:

A person must not provide, possess, acquire, attempt to acquire, administer, attempt to administer or allow to be administered to a greyhound, any prohibited substance, exempted substance or other substance (including any other medication, medicine, injectable substance, supplement, herbal product or therapeutic good), that is not labelled, prescribed, dispensed and obtained in accordance with relevant Commonwealth, state and territory legislation

The specifics of Charge 3 were as follows:

Between 1 August 2023 and 31 August 2023, Mr Stephen Howarth administered a medication to the greyhound Distance Danny when that medication was not labelled, prescribed, dispensed and obtained in accordance with relevant Commonwealth, state and territory legislation.

Charge 4: 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 4 were as follows:

Between 10 October 2023 and 12 October 2023, Mr Stephen Howarth failed to provide the greyhound Clover with veterinary attention when necessary, when that greyhound sustained heat stress whilst in his care or custody resulting in Clover becoming deceased on 12 October 2023.

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 20 October 2023 and 24 October 2023, Mr Stephen 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 his care or custody resulting in Peyton's Wish undergoing surgery on 24 October 2023.

Charge 6: 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 6 were as follows:

Between 20 October 2023 and 24 October 2023, Mr Stephen Howarth failed to exercise the care and supervision necessary to prevent Peyton's Wish, being a greyhound in his 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 7: 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 7 were as follows:

Between 3 December 2023 and 6 December 2023, Mr Stephen 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 his care or custody resulting in Tommy Tornado being euthanised on 6 December 2023.

Charge 8: 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 8 were as follows:

Between 3 December 2023 and 6 December 2023, Mr Stephen Howarth failed to exercise the care and supervision necessary to prevent Tommy Tornado, being a greyhound in his 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 9: Issued pursuant to Greyhounds Australasia Rule 156(h), which provides:

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

(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 9 were as follows:

On 8 December 2023, Mr Stephen Howarth was issued the following lawful orders by Queensland Racing Integrity Commission Stipendiary Steward Nathan Thorneycroft, and he failed to comply with those orders:

1. complete a general tidy-up in and around the kennels, including the removal of all cobwebs from within the kennels, clean and disinfect kennel walls, ensuring that all areas are clean and hygienic by 15 December 2023;
2. tidy-up of the surrounding area in front of the kennel shed with removal of rubbish and debris by 15 December 2023;
3. provide a minimum of one suitable empty out area that is fully enclosed, secure, and free from hazardous items by 15 December 2023 with each greyhound to be let out to empty individually in the interim, without the need of a yard muzzle and monitored for safety; and
4. ensure that all greyhounds are housed within a compliant kennel as per the Queensland Racing Minimum Standards of Care by 15 December 2023.

Charge 10: 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 10 were as follows:

Between 21 December 2023 and 28 December 2023, Mr Stephen 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 his care or custody resulting in unnamed greyhound 956000013131230 undergoing surgery on 28 December 2023.

Charge 11: 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 11 were as follows:

Between 21 December 2023 and 28 December 2023, Mr Stephen Howarth failed to exercise the care and supervision necessary to prevent unnamed greyhound 956000013131230, being a greyhound in his 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 12: 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 12 were as follows:

On 22 December 2023, Mr Stephen Howarth permitted a condition that was likely to be dangerous to the welfare and safety of the unnamed greyhound 956000013131230 in that he permitted more than one (1) greyhound to be unsupervised in an area with unnamed greyhound 956000013131230, being in breach of the lawful order issued to him by Queensland Racing Integrity Commission Stipendiary Steward Nathan Thorneycroft on 8 December 2023 that each greyhound was to be let out individually, resulting in a greyhound attacking unnamed greyhound 956000013131230 with unnamed greyhound 956000013131230 sustaining several open wounds with exposed bone requiring surgery as a result of the dog attack.

Charge 13: Issued pursuant to Greyhounds Australasia Rule 156(h), which provides:

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

(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 13 were as follows:

On 22 January 2024, Mr Stephen Howarth was issued a lawful order by Queensland Racing Integrity Commission Deputy Chief Steward Aleisha Turner to transfer all greyhounds from his care and custody by 29 January 2024, and he failed to do so.

Charge 14: 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 14 were as follows:

On 22 January 2024, Mr Stephen 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 his care and custody and he failed to do so in that he transferred the greyhound Sara's Tiger from his care and custody to a third party without the approval of the Stewards.

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 are as follows:

On 14 February 2024, Mr Stephen Howarth made a false statement to the Queensland Racing Integrity Commission Stewards during a stewards' inquiry with the false statement being that the dog attack on the unnamed greyhound 956000013131230 occurred on 25 December 2023 knowing that statement to be false when in fact the subject dog attack occurred on 22 December 2023.

Charge 16: 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 16 were as follows:

Between June 2023 and February 2024, Mr Stephen Howarth failed to provide kennels of a standard approved by the Queensland Racing Integrity Commission at all times to greyhounds in his care or custody, with those greyhounds being Chilli Cherry, Clover, Distance Danny, Lenny Boy, Sara's Tiger, Shian Maggie, Side Splitter, Tommy Tornado, and unnamed greyhound 956000013131230.

Mr Howarth entered a plea of not guilty to all sixteen (16) charges and provided brief submissions in respect of his pleas.

Stewards considered Mr Howarth's further submissions and withdrew Charge 2 and Charge 16 with the Stewards finding the remaining fourteen (14) charges proven.

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

In determining penalty, Stewards considered the following:

- Mr Howarth's plea of not guilty to all charges;
- Mr Howarth's disciplinary history, noting no prior breaches of a similar nature;
- Mr Howarth's personal circumstances and general background, noting that he:
 - (i) is seventy (70) years of age;
 - (ii) has been a licensed trainer in the greyhound racing industry for approximately sixteen (16) years;
- the nature, circumstances and objective seriousness of Mr Howarth's offending, noting that:
 - (i) Mr Howarth's offending is of a very serious nature in the opinion of the Stewards, in that his offending centred around his failure to provide veterinary attention when necessary to greyhounds in his 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 Mr Howarth's failure to provide veterinary attention when necessary to the greyhounds in his 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) Mr Howarth permitted a condition likely to be dangerous to the health, welfare or safety of the greyhounds at his premises on two (2) occasions with both occasions resulting in dog attacks, with one greyhound requiring surgery for its injuries and the other being euthanised due to its injuries;

- (iv) in permitting a condition likely to be dangerous to the health, welfare or safety of the greyhounds at his premises on the second occasion, Mr Howarth was in direct contravention of a Steward's Direction that had been issued to him in respect of that specific condition; and
 - (v) Mr 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;
- Mr Howarth's failure to acknowledge that veterinary attention was immediately required for the greyhounds in his care or custody, together with his failure to acknowledge any pain or suffering endured by the greyhounds in his care and custody due to the absence of veterinary attention, despite the findings of Dr Paul McGeown, Dr Chloe O'Callaghan, Dr Claire Doyle, Dr Ingrid Groeger-Stone, Dr Alex Heberlein, and Dr Paul Underwood;
 - Mr 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 Mr Howarth, as his conduct fell well below the expected standard and he was not blameless in any manner, 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: One (1) year disqualification.

Charge 2: Withdrawn.

Charge 3: \$300.00 fine.

Charge 4: One (1) year disqualification.

Charge 5: One (1) year disqualification.

Charge 6: One (1) year disqualification to be served concurrently with Charge 5 as it arose out of the same general course of conduct relevant to the breach detailed in Charge 5.

Charge 7: One (1) year disqualification to be served concurrently with Charge 8 as it arose out of the same general course of conduct relevant to the breach detailed in Charge 8.

Charge 8: Two (2) year disqualification.

Charge 9: Six (6) month suspension.

Charge 10: Three (3) year disqualification.

Charge 11: Three (3) year disqualification to be served concurrently with Charge 10 as it arose out of the same general course of conduct relevant to the breach detailed in Charge 10.

Charge 12: One (1) year disqualification.

Charge 13: Three (3) month suspension.

Charge 14: Three (3) month suspension to be served concurrently with Charge 13 as it arose out of the same general course of conduct relevant to the breach detailed in Charge 13.

Charge 15: Six (6) month disqualification.

Charge 16: Withdrawn.

Stewards directed that the total period of **disqualification of nine (9) years and six (6) months** be backdated to 22 January 2024, being the date Mr 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 nine (9) months** to be served upon the expiration of the disqualification period, being 21 July 2033, and upon subsequently being re-licensed.

Mr Howarth was advised of his right to a review of the decision.