

## RECORD OF INQUIRY

*This is a summary of the inquiry for general information purposes only. The Stewards' decision is as handed down and recorded during the inquiry.*

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<b>INQUIRY NUMBER:</b>	<b>18S010</b>
<b>PERSON:</b>	Mr Craig Benjamin ( <b>Participant</b> )
<b>REGISTRATION:</b>	Trainer
<b>PANEL MEMBER(S):</b>	Ms Tammy Cootes Mr Grant Carroll
<b>DATE OF INQUIRY:</b>	16 May 2018

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1. Greyhound Racing New South Wales (**GRNSW**) held an inquiry into the following charges under the GRNSW Greyhound Racing Rules (**Rules**):  
  
**Rule 108:** That you, Craig Benjamin, failed to ensure that greyhounds in your care or custody did not stray onto private property (**Charge One**).  
  
**Rule 109(1):** That you, Craig Benjamin, permitted greyhounds in your care or custody to be in a public place without being under effective control (**Charge Two**).  
  
2. The Participant denied Charge One and admitted Charge Two.  
  
3. The Inquiry Panel considered the documentary evidence before the inquiry and heard extensive evidence from the Participant.  
  
4. The Inquiry Panel were comfortably satisfied that:  
(a) On 26 December 2017 the Participant walked a number of greyhounds at Joe Broad Park, Mount Pritchard.  
(b) At this time, two greyhounds in the Participant's care or custody became free from the Participant's effective control and ran free of any restraint from the Participant;  
(c) While free of restraint, the greyhounds caused injuries to a cat.  
  
5. The Inquiry Panel accepted the detailed evidence from the Participant that this was an unintentional accident. The Participant indicated that the greyhounds were on a lead and collar with muzzles. The Participant provided that he never let the greyhounds off the lead, but instead the greyhounds slipped their head through the collar and became free. There is no evidence before the Inquiry Panel that disputes the Participant's evidence.  
  
6. The Inquiry Panel could not be comfortably satisfied that the greyhounds were located on private property at any point because of conflicting accounts of the location of the greyhounds.  
  
7. In relation to Charge One, the Inquiry Panel found that it could not be satisfied that the Participant breached Rule 108 as charged.  
  
8. In relation to Charge Two, the Participant admitted this Charge.

### Penalty

9. In relation to penalty, the Inquiry Panel considered:
  - (a) The requirement of general deterrence, that participants must be encouraged to take extra care in securing their greyhounds to ensure they are restrained at all times.
  - (b) The consequences of the greyhounds becoming free, being that there were injuries to a cat.
  - (c) The Participant has reviewed the Participant's practices including purchasing new collars to walk his greyhounds and ensuring that he secures the greyhounds' collars prior to the walk.
  - (d) The Participant's admission of Charge Two.
  - (e) The Participant licence history, having been licensed since 2014 with no substantial breaches of the Rules.
  - (f) The Participant's personal and financial circumstances, which are not published here for privacy reasons.
  
10. Having regard to the totality of the facts, the Inquiry Panel determined that the appropriate penalty was:
  - (a) three months suspension, wholly suspended on the condition that the Participant does not breach a similar Rule for a period of 12 months; and
  - (b) a \$500 fine.
  
11. The Participant was advised of his appeal rights.

Grant Carroll  
**Chief Steward**  
**GRNSW Inquiry Panel**

Tammy Cootes  
**Manager Integrity and Inquiries**  
**GRNSW Inquiry Panel**