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GREYHOUND WELFARE & INTEGRITY COMMISSION

DISCIPLINARY ACTION DECISION

Date of decision: 8 September 2021

Decision-makers: Alice Stafford, A/Senior Legal Officer, David OShannessy, Chief Inspector & Wade Birch, Director Race Day Operations (Chief Steward)

Name of relevant person: Mr Wolfgang Kraeft

Date: 25 January 2021

Rule: Rule 106(2)

Code: Standard 6.1, Standard 6.3, Standard 6.4 of the NSW Greyhound Welfare Code of Practice

Charge(s):

- (1) Mr Kraeft failed to exercise reasonable care and supervision of a greyhound in order to prevent undue suffering of the greyhound;
- (2) Mr Kraeft failed to transport a greyhound in a manner unlikely to cause suffering or distress;
- (3) Mr Kraeft failed to individually restrain multiple greyhounds when transporting them together;
- (3) Mr Kraeft travelled for a period of longer than 3 hours whilst transporting greyhounds without allowing them an opportunity to drink, exercise or toilet.

Disciplinary action taken: Penalties to be served concurrently:

- Charge 1:** 6 months disqualification;
- Charge 2:** Formal warning;
- Charge 3:** 2 months suspension;
- Charge 4:** \$200 fine.

DECISION:

1. Mr Kraeft, at the material time being between 25 January 2021, was a registered Public Trainer.

2. On 25 January 2021 Mr Kraeft transported three (3) greyhounds from a registered property at Young ("**the Young property**") to Greyhound Rescue at 450 Arina Road, Bargo ("**Bargo**").
3. At approximately 12:00 noon the temperature had reached 36 degrees Celsius at Bargo.
4. Mr Kraeft collected greyhounds 'Blue Jedi', 'El Grand Blue' and 'Sky Screamer' from the Young property to be surrendered. Mr Kraeft also collected another greyhound that was to be relocated, not surrendered. The greyhounds remained in his sole custody until he arrived at Bargo.
5. Mr Kraeft transported the four greyhounds in the back of an unairconditioned van, with each greyhound fitted with a muzzle and otherwise unrestrained for a period of longer than three hours.
5. Upon arrival at Greyhound Rescue the greyhound 'Blue Jedi' ("**Greyhound**") was removed from the van and urinated blood coloured urine. He was then walked toward the kennel block. As he was walked, the Greyhound was unsteady and took around eight to ten steps before tripping over his front feet on two separate occasions.
6. A little while later the Greyhound then excreted diarrhea and produced urine which again was blood coloured.
7. Staff at Greyhound Rescue transported the Greyhound later that night to the Sydney University Vet & Emergency practice, where it was diagnosed with heat induced myopathy and was treated with fluids and pain relief (buprenorphine). The Greyhound remained there for two further days.
8. On release from the Sydney University Vet & Emergency practice the Greyhound attended at a local veterinary practice a further 4 occasions for treatment related to this incident.
6. On 9 February 2021 the treating veterinarian determined that the Greyhound was only then considered stable.
7. The Commission charged Mr Kraeft with an offence under Rule 106(2) of the *Greyhound Racing Rules* ("**Rules**"), which reads:

A registered person must exercise such reasonable care and supervision as may be necessary to prevent greyhounds pursuant to the person's care or custody from being subjected to unnecessary pain or suffering.
8. The Commission also charged Mr Kraeft with offences under the *NSW Greyhound Welfare Code of Practice* ("**Code**") which read:

6.1 Greyhounds must not be transported in a manner likely to cause injury or undue stress to the greyhound.

...

6.3 When using compartments or cages for transporting greyhounds, participants must:

...

 - Where more than two greyhounds are transported in the same compartment or cage, individually restrain greyhounds during transport

...

6.4 When being transported by road, greyhounds must, unless it is unsafe to do so, be removed from transport compartments/cages at least every three hours and offered an opportunity to drink, exercise and toilet.

9. Mr Kraeft pleaded guilty to all charges 1-3 and not guilty to charge 4, provided written submissions, and elected to have the disciplinary proceedings conducted in writing.
10. The Commission considered all the available material and found that all four charges were proven.

11. The Commission took the following disciplinary action against Mr Kraeft:

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| Charge 1: | To disqualify Mr Kraeft for a period of 6 months; |
| Charge 2: | No further action having regard to the penalty issued for charge 1; |
| Charge 3: | To suspend Mr Kraeft for a period of 2 months; |
| Charge 4: | To issue a fine \$200, |

with the penalties to be served concurrently.

12. In taking this disciplinary action, the Commission considered all evidence, including:

- Greyhound racing penalty precedents in NSW and other jurisdictions;
- The objective seriousness of the conduct, in particular charge 1 resulting in significant suffering to the Greyhound;
- Mr Kraeft's plea of guilty to charges 1, 2 and 3 at the earliest opportunity and Mr Kraeft's plea of not guilty to charge 4;
- The lack of any prior relevant disciplinary history for Mr Kraeft;
- The length of time that Mr Kraeft has held a trainer registration, being since 1985, approximately 36 years;
- Submissions made on behalf of Mr Kraeft in relation to the particular circumstances of the offending.

.....End.....