

1. Fit and Proper Person Guidance

Under the *Racing Act 1958* the Greyhound Racing Victoria (GRV) Board regulates the sport of greyhound racing. This function includes registering people seeking to participate in the sport. The Board may only consider a person for registration if that person meets the eligibility requirements.

Some of the eligibility requirements are matters of fact. For example, is the person old enough? While the other requirement is a suitability determination by the Board. This is called the 'fit and proper person' test.

To be eligible for registration, the person must satisfy the Board that they are a fit and proper person to be registered, having regard to all matters relevant to the category of registration being sought.

Eligibility is the only the first stage of the application determination process. Whether the GRV Board should grant the application is a separate question. The Board may find that an applicant is eligible to apply for registration, but still refuse the application.

Further information on the registration process can be found here <https://greyhoundcare.grv.org.au/get-involved/>

2. What is fit and proper?

Fit and proper is a test of suitability to be part of the sport of greyhound racing.

The Board will look at a whole range of matters to establish suitability. These matters include (but are not limited to) the person's character, reputation, honesty, integrity, criminal and animal welfare history.

The fit and proper determination is not a 'tick the box' exercise.

There are no set criteria or series of questions as each person's circumstances are different. The only limitation on what the Board can consider as part of its assessment of an applicant's suitability is that the Board will view that matters before it with reference to the Board's functions.

The level of suitability required will depend on the category of registration being sought.

For example, a person applying to be a trainer will be subject to a higher standard than a person applying to be a catcher. This is because the trainer has unsupervised care and control of greyhounds and could have a more substantial impact on the integrity, reputation, and control of the sport. A catcher is performing duties in the regulated environment of race day and has less opportunity to impact the integrity, promotion, and control of the sport.

Fit and proper is a point in time determination.

The fact that a person may have been a fit and proper in the past (for example, they have previously been registered), does not automatically mean that the Board will be satisfied that the person is fit and proper now. Similarly, the fact that a person was not fit and proper in the past (such as when committing an offence) does not mean that they will not be able to satisfy the Board that they are fit and proper at some point in the future.

Fit and proper weighs the benefits and the risks.

When looking at whether a person is a fit and proper person to be registered, the Board undertakes a weighing exercise and asks:

- As of the date of application, and based on the available information, is the person fit and proper to be registered as a participant in the sport in the category that they are applying for?

The fit and proper person test may be determined by a single significant factor or the combined effect of a number of less significant factors. The onus is on the person applying for registration to satisfy the Board of their suitability.

3. What types of things will the Board consider?

The Board will consider anything related to or impacting on greyhound racing.

There is not set criteria. However, by way of example the Board will look at what the registration covers and what the information before the Board indicates about the applicant’s character, reputation, honesty, integrity, criminal history, or history in relation to animal welfare.

The Board might ask questions about matters such as:

Criteria	Questions
Adverse finding/convictions/civil proceedings	<ul style="list-style-type: none"> • What do they relate to and how serious were they? • What were the circumstances? • How old are they? • What has been done to mitigate the risks of re-offending? • Can it be assumed that the past, including responses to past activity indicate further improper activity will not occur such that the industry or community can have confidence? • Are there convictions related to drugs, violence, dishonesty/fraud, sexual crime, children, or animal cruelty? (this type of offending is of particular concern to the Board)
Compliance history with GRV	<ul style="list-style-type: none"> • What is the applicant’s compliance history? • How old are any offences and how serious were they? • What were the circumstances? • What changes have been made to avoid reoffending?

	<ul style="list-style-type: none"> • Is there a clear understanding of the conviction and acceptance of fault by the applicant? • What is the applicant's attitude towards the conduct? • Can it be assumed that the past, including responses to past activity indicate further improper activity will not occur such that the industry or community can have confidence?
Compliance history with other industries, codes or jurisdictions?	<ul style="list-style-type: none"> • What is the compliance history and what were the circumstances of any contraventions? • What changes have been made by the applicant to avoid recurrence of non-compliance? • Has there been any: <ul style="list-style-type: none"> - refused, suspended or revoked licenses, registrations, export arrangements, or appointments? - previous failures to comply with regulatory directions? - disqualifications to hold positions or licences? - failure to adhere to professional standards? - conduct that poses significant harm to the community or an industry?
Cooperation history	<ul style="list-style-type: none"> • How does or has the person interact(ed) with GRV and its staff on and off track? • How does the person proactively seek to voluntarily comply with requirements? • Does the application conflict with key positions of GRV such as zero tolerance of animal cruelty or live baiting? • What is the person's stated position on key GRV policies?
Animal welfare history	<ul style="list-style-type: none"> • How does the person regard GRV's commitment to animal welfare? • What is the persons history related to animal welfare? • If the person has previously been in the industry: <ul style="list-style-type: none"> - what are their past euthanasia numbers? - have they been subject to cautions for non-compliance with policies and rules? - what is their history with rehoming greyhounds? - how often has the applicant needed to seek GRV support to meet care and rehoming needs for their greyhounds?
Candidness	<ul style="list-style-type: none"> • Was the applicant open and truthful in their dealings with GRV in the past and as part of the application process? • Was there full and frank disclosure? • Has the applicant misled GRV in the past or as part of their application? • Has the applicant providing misleading information in any other regulatory processes?

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Reputation and integrity	<ul style="list-style-type: none">• What kind of reputation does the person have within the industry or the general community?• Does the history and character of the person suggest that there is an issue with the person's personal integrity?
Understanding	<ul style="list-style-type: none">• What is the person's understanding of the rules?• What is the persons understanding of the role for which they are seeking registration?• What this the person's understanding of acceptable training practices?• What is the likelihood they will engage in voluntary compliance?• Do they understand the impact non-compliance could have on the control, reputation and promotion of the sport?