

The Hon. David Harris MP

Minister for Aboriginal Affairs and Treaty
Minister for Gaming and Racing
Minister for Veterans
Minister for Medical Research
Minister for the Central Coast

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Received by <i>Jesse Halligan</i>
Date: <i>4/3/25</i>
Resolved to publish Yes / No



Ref: DF25/008440

Mr Alby Taylor
Chief Commissioner
Greyhound Welfare & Integrity Commission
Via email:

Dear Mr Taylor,

I refer to your briefing, dated 6 February 2025, regarding the potential appointment of Mr Steven Griffin, Chief Executive Officer, Greyhound Welfare & Integrity Commission (GWIC) to the role of Chief Executive Officer, Greyhound Racing NSW (GRNSW).

I note that on 21 January 2025, Mr Griffin informed you of the following:

- Mr Griffin was the preferred candidate for the role of CEO at GRNSW,
- Mr Griffin did not originally apply for the role,
- Mr Griffin was approached by a recruiter, Mr Ben Buckley,
- Mr Griffin met with Adam Casselden SC and Rebecca Giles (Chair and Deputy Chair of GRNSW respectively) and Morris Iemma (chair of the selection committee for the role) and provided a presentation regarding the changes required at GRNSW and the broader industry.

On 8 February 2025, I was informed by GRNSW that Mr Griffin is the preferred candidate for the role.

I note in your briefing you describe strategies put in place by GWIC since 22 January 2025 to manage potential risks arising from Mr Griffin's candidacy. However, I am concerned those strategies may not adequately address risks to GWIC, GRNSW and the greyhound racing industry more broadly.

As you would be aware, it is the Chief Commissioner who exercises the employer functions of the Government in relation to Mr Griffin under the *Government Sector Employment Act 2013 (GSE Act)*. I am advised that, as Minister, I do not have the power under the GSE Act to direct you in the exercise of those employer functions.

However, given my responsibility under the *Greyhound Racing Act 2017 (GR Act)*, it is appropriate that I seek assurance that appropriate action has, and will be taken by you, so as to not adversely impact the integrity of, and public confidence in, the greyhound racing industry.

As a public sector senior executive, Mr Griffin is required to comply with the Code of Conduct and Ethics issued by the Public Service Commissioner. Relevantly, the Code requires Mr Griffin to always disclose actual, potential or reasonably perceived conflicts of interests as soon as he becomes aware of the conflict. Further, where a conflict of interest occurs it should always be resolved in favor of the public interest, rather than private interests. As the employer, it is your responsibility to consider whether the circumstances warrant removing the employee from the duties that may conflict with their private interests.

Having regard to the powers and functions of GWIC under the GR Act in relation to the greyhound racing industry, the legislated senior management role of the CEO, and the separation required between GWIC and GRNSW, I am concerned that the strategies put in place

on 22 January 2025, do not adequately appreciate or address the circumstances and the conflict which arises.

In the circumstances, a number of actions (related to the GR Act) may be available for consideration:

- cease day-to-day management of GWIC insofar as the matters relate to GRNSW
- cease implementation of Commissioner decisions insofar as the matters relate to GRNSW
- removal of Mr Griffin from committees that he is on which relate to, or also include, GRNSW representatives
- not to exercise any registration functions under Div 2 Part 5 insofar as the matters relate to GRNSW
- no involvement in, or exercise of functions under Div 3 of Part 6
- no involvement in, or exercise of functions and powers under Part 7
- no involvement in and no performance of any functions relating to the Operating Licence issued to GRNSW on 3 July 2022.

I am informed that the type of contract of employment used for roles such as Mr Griffin generally contain confidentiality and intellectual property security obligations on public service employees. Further, s 83B of the GSE Act places obligations on Mr Griffin to take prescribed action in certain circumstances.

Having regard to your briefing and Mr Griffin's email of 21 January 2025, there are a number of questions which remain unanswered:

- When was Mr Griffin approached by the recruiter, Mr Buckley?
- When did Mr Griffin meet with and present to GRNSW's Selection Committee?
- Was Mr Griffin's attendance at the above done so in his professional or personal capacity?
- Did Mr Griffin inform anyone at GWIC of his attendance at the above and the content of his presentation to the Selection Committee?
- When did Mr Griffin become aware that he is the preferred candidate?
- Has Mr Griffin declared the conflict of interest in line with the relevant policies and procedures?

I request an update on the above issues by Monday 17 February 2025.

Sincerely,

14/02/2025

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C.C. Mr Chris Wheeler, Commissioner, GWIC