



March 30, 2020

Mr. Greg Illchuk  
308 Cold Branch Dr.  
Columbia, SC  
29223

Mr. Illchuk,

The Sanctions herein regarding Mr. G. Illchuk were voted on by the Board of Directors of the PWDC on March 28, 2020.

A Hearing was scheduled for March 27 for Mr. Illchuk regarding a complaint filed against him. Thirty-eight minutes prior to the scheduled time Mr. Illchuk sent a letter to the PWDC Board indicating that he would not be attending. In his letter Mr. Illchuk cited various reasons dealing with hearing process; all issues that could have been easily addressed even a few days earlier. While Mr. Illchuk was served with a notice of hearing on March 7, 2020 he did not respond or accept the meeting to show his intention of participating until the PWDC received a witness statement on Mr. Illchuk's behalf 11 days later. The only prior communication from Mr. Illchuk was his inquiry on March 24 asking if the statements had all been submitted. As there were outstanding statements and requests by the committee for additional information and clarifications from some witnesses, several requested time to respond. Due to Covid-19 some individuals did not have access to equipment to print, scan and send. At that point the rules around original signatures were relaxed to allow emails to be sent to the Hearing Secretary directly from the individual, and all of this was communicated to Mr. Illchuk.

Mr. Illchuk expressed a concern of bias, as one of the members of the PWDC Board participated in the investigation of the matter in July 2019. That member recused herself from the process and did not participate in any decisions on this matter. Mr. Illchuk would have been advised of this had he attended the hearing, or could easily have raised that issue prior to the hearing if this was a concern.

The PWDC questioned some of Mr. Illchuk's witnesses by sending them written questions. Mr. Illchuk was aware of these questions and was free to also question them again as well as any witnesses of Mrs. Ailsby's that had previously submitted statements to the PWDC. Mr. Illchuk was informed that these statements had already been submitted and the Secretary referred to them in his communication with Mr. Illchuk. At no time did he respond that he was not aware of prior witness statements or the PWDC would have made them available again. The substance of the complaint was such that most of the documents on which decisions were based were authored by Mr. Illchuk. A few statements were written by PWDC Board members which were included in the document Dropbox (a cloud based server). At no time did Mr. Illchuk request more time to examine documents or more time to make his statement to the hearing committee, both of which he expressed as issues. Accommodations could have been made had he asked.

The hearing committee had a list of questions prepared for Mr. Illchuk to respond to on each point that was at issue in case he didn't address them in his statement. This was to be an open and fair hearing with members who did not personally know Mr. Illchuk. However, Mr. Illchuk, by declining to attend the hearing, chose to not give himself the opportunity to present his side of the story to the Hearing Committee.

Should anyone have any issues with the process they are free to contact the PWDC directly. However as Mr. Illchuk sent us his letter under confidential terms; we will not be posting it.

All decisions were based solely on the documented information that was available to Mr. Illchuk. No verbal statements were made by any party on March 27, 2020.

Due to the unusual and drawn out machinations with regard to this complaint it would be helpful to provide some context as to the source of the complaint and the series of events that led to the complaint.

#### PWDC Boards Reasons for Decisions for the disposition of this Hearing:

The complaint arose from an Aggression Report filed by Mr. Illchuk on August 10, 2018 at a PWDC Water trial held at Dickson Dam, Alberta and hosted by the Alberta Portuguese Water Dog Club. Mr. Illchuk was serving as Chair of the Host Committee. Ms. Suzanne Malick was the Judge.

As a result of the Aggression Report filed by Mr. Illchuk the PWDC Board did send a letter to the Complainant to place restrictions on the Complainant's dog: the dog was to be crated, kept on leash, trialed either at the end of the level or day at the host committee's discretion and under control at all times. The last paragraph required that the Complainant supply the letter with any trial entries. To ensure that this was done, the PWDC Water Trial Committee in conjunction with the Board added that if another aggression report was filed she could be banned from trialing. Although this seemed harsh, it was more than anything an assurance that she would include the letter with her entries.

#### Background regarding the Aggression Report:

The very popular 2018 APWDC trial had more entries than could be accommodated so Mr. Illchuk, a PWDC Water Trial judge, generously agreed to judge several dogs on the Friday, a day usually reserved for practice. In this case the practice session was limited to the morning with the trial beginning at 1pm. As Mr. Illchuk was now acting as judge for the duration of the Friday trial, another Host Committee member took over as trial chair for the time that Mr. Illchuk was judging. In corroborating information from one of Mr. Illchuk's witnesses, the Trial Chair stand-in stated that she subbed for Mr. Illchuk from about 1 pm when the Friday trial began until about 5 pm when it was over and Mr. Illchuk resumed his position as Trial Chair. The remainder of the weekend was judged by Mrs. Malick as scheduled.

When Mr. Illchuk prepared the Aggression Report he was doing so in his capacity as Chair of the Water Trial Committee.

The first part of the complaint was that the Complainant was not made aware of the Witness Statements against her that should have been given to her when she was asked to sign the Aggression Report. Mr. Illchuk had stated that he was present when the Complainant signed the Aggression Report and mentioned that she did so quickly without seeming to read it. It should be noted that once submitted witness statements are to be attached to the report and become part of the Aggression Report. All Witnesses affirmed their statements that they had personal knowledge of the events they were describing.

Unfortunately, that oversight was not communicated to the PWDCC Water Trial Committee where Mr. Illchuk served. The Complainant was not aware of the Witness Statements that she had not been given. The Complainant's Witness statement described a "bitch spat" of short duration between two dogs that knew each other well, which her dog had, admittedly, started. There was a somewhat neutral statement from the owner of the other dog that did not contain the word attack. The other two Witness Statements portrayed the Complainant's dog as a danger, describing an incident from 2016 where the dog had attacked another dog in an extremely aggressive manner. Therefore, when the Water Trial Committee and the Board received all the witness statements sent with the Aggression Report, all parties found the Complainant's attitude to be flippant, dismissive and perhaps arrogant. She didn't seem to be taking this matter seriously enough. This circumstance resulted in a clear prejudice against the Complainant. Because the witness statements had been affirmed, the Board considered them to be fact. The Board was not given any information regarding the 2016 incident other than the 2018 witness reports.

The PWDCC Water Trial Committee chair had advised that the information in the statements describing aggressive behavior prior to the current incident were not to be considered. Unfortunately, the Board had already been given the witness statements with the Aggression Report form. In fact, there had been an incident two years prior, in 2016. The incident in 2016 was one where the owner of the dog, stated that it was her dog that was the aggressor, not the Complainant's dog. The minor damage to her dog was, according to the owner, a scratch on the nose that was gone the next day. That was corroborated in July 2019 by a veterinarian who was participating in the trial, as well as, two other witnesses who supplied statements to that effect. Mr. Illchuk has never made any claim to have witnessed that incident. Mr. Illchuk had access to those statements. The 2016 Trial Judge who arrived the day after that incident, on request of some Host Committee members, spoke to the Complainant and the owner of the other dog about the alleged attack. She reported back that it was normal dog behavior, both parties should keep better control of their dogs, it was not significant and that there had been nothing to support an Aggression Report although she did suggest that another incident that had occurred on the grounds of that trial may be worthy of a report. Upon further investigation it was concluded that it was a non-event. That report was received in 2016 by the PWDCC Water Trial Committee on which Mr. Illchuk served. It is highly probable that if the Complainant had been given the 2018 witness statements in the first place, all parties would have been spared this saga.

On July 20 of last year, the PWDCC Board received correspondence from the Complainant that her entries to the PWDCA National Specialty had been declined and more recently her entries to the Pacific North West trial had been rescinded the day before she was set to leave for no reason that she was made aware of. She had already trialed in Minnesota and earned two Masters legs with her dog and her PNW entries had been accepted weeks prior. When her entries were declined for the Specialty no mention was made that she would be banned from trialing at future PWDCA trials as well. She had non-refundable travel deposits as she was set to leave the next day. She wanted to know what happened and if the PWDCC knew anything about it.

About the same time the PWDCC president received a request from the PWDCA president asking for information regarding the Aggression Report filed in 2018. Apparently the PWDCA Water trial committee had become aware of the letter that the Complainant had submitted with her entries to the PNW trials. To look into the matter the PWDCA struck an investigation committee and the PWDCC assigned one person to investigate what was going on.

The second part of the complaint was that Mr. Illchuk provided information to members of the PWDCA telling a version of the 2016 incident described above in a most prejudicial manner. The Secretary of this hearing received witness statements from two PWDCA Board members who were on the investigation committee. PWDCA Board member 1 stated that when she became aware of the letter that the Complainant had sent with her entry she questioned Mr. Illchuk about it, presumably because he was from Canada and might have information about the basis of the Aggression Report referred to.

She states that she had a preliminary social conversation with Mr. Illchuk about the matter but she did not disclose the content of the information that Mr. Illchuk provided at that time. She states that a short while later she was tasked by the investigation committee to get statements on the matter from Mr. Illchuk, presumably because he was chair of the subject Host Water Trial Committee. She did not provide any detail on what Mr. Illchuk told her in her witness statement. She also said that she asked him for the contact information of the veterinarian that had attended the injured dog and he willingly provided it. Although the Secretary questioned her on the content of Mr. Illchuk's statements to her, she declined to answer and stated that "Mr. Illchuk's behavior meets the guidelines mapped out in the PWDCA Water Trial Manual". The PWDCC is unclear of the guidelines referred to as we could not find anything in the PWDCA guidelines referring to disclosure by a Chair of a Water Trial Committee.

Board member 2 stated that she spoke with Mr. Illchuk one time in July of 2019 (Mr. Illchuk refers to this conversation in the emails he provided to the PWDCC).

PWDCA Board member 2: "He told me of an incident where (the Complainants dog) went after a dog and left scratches on the dog's back. He said there was a veterinarian present who looked at the dog... he told me the vet said the dog should be fine, just minor scratches. Weeks later, a board member (who was investigating) said she spoke with Mr. Illchuk who told her (the Complainants dog) attacked a dog and there was a Vet present, who looked at the dog and said the dog required stitches. He told the Board member that the dog was stitched up at the Vet's office. He told the Board Member we could contact the Vet to corroborate his account and he provided the Vet's contact information."

This Board member 2 called the vet and “was told there were scratches to the nose and a minor puncture on the lip. I mentioned to the Vet that I had never heard a puncture mentioned. The way I understood (the Vet’s) reply was that it was pretty minor and I assumed it was Vet Speak rather than anything to do with the severity of the wounds. I referred to it as scratches only because my understanding was the puncture wound was no deeper than the scratches. The Vet mentioned wiping off the face – I believe she said there was a first aid kit on site – and advised the owner to keep an eye on it. I asked (the Vet) two or three times if there were any injuries to the dog’s back or any stitches necessary and she confirmed there was only the minor injury to the face.”

Both PWDCA and PWDC boards, from this and perhaps other evidence that the PWDC was not privy to agreed that this event had not occurred as Mr. Illchuk described when they unanimously voted to allow the Complainant’s dog to trial in the USA, overturning the decision of the PWDCA Water Trial Committee.

While this was going on the Complainant claimed that she was getting calls and emails asking her if her dog really bit another dog and it was being described as a danger and other such statements.

It should be noted that the Complainant’s dog is a registered Service Dog and the Complainant is a highly regarded animal trainer whose livelihood is based on her reputation and her ability to train dogs. In fact, the APWDC that hosted the water trial had invited her on several occasions to give clinics for its members. (This information was given to the PWDC in July when she was asked for her explanation of the events that led to her having her entries denied/rescinded but it is generally known) In fact Mr. Illchuk had been in attendance during at least one of the Complainants’ clinics.

The Complainant also considered that Mr. Illchuk continuing to contact PWDCA, PWDC members in July, shortly before a vote was to be taken on whether to allow the Complainant’s dog to trial or not, and making or writing statements stating or implying that the Complainant’s Dog should or could have been disqualified, intended to cause harm to her reputation and to that of her service dog.

Both quotes below are taken from a letter that Mr. Illchuk wrote on July 25, 2019. This letter accompanied the originals of the Aggression Report (with attached statements) that was requested by the PWDC.

“we believed that the dog was a hazard to persons or other dogs”

“in hindsight I wish we would have read the section under disqualifications in the manual that states (bold in the original) **“Any dog that in the opinion of the Host Water Trial Committee members attacks a person or another dog at a sanctioned water trial warm up day or during the actual trial and is believed by that Event Committee to present a hazard to persons or other dogs, SHALL BE DISQUALIFIED by the Event Committee.** This statement contradicts the form but would have given us the ability to disqualify (the **Complainant’s** dog).” He also maintains that the form is wrong or there is an error in it.

After checking with several other water trial judges including the chair of the PWDCC Water Trial Committee the committee was assured that the dog could not be disqualified based on the statement above without meeting the criteria on the form.

On July 26 Mr. Illchuk contacted the secretary of the PNW Water Trial Committee, (also a water trial judge,) after the Complainants entries had been rescinded. From her email dated July 27, with notes taken from her conversation with Mr. Illchuk, she states that he said that there were rumours that (the Complainant) had not included the required letter with her entries to their trial. She responded that this was not true and everything had been in order with the entries and they had agreed to all stipulations required in the letter.

In that conversation Mr. Illchuk also said that the form is inadequate, that there is no option on the dog aggression form to sanction a dog for dog on dog aggression with the implication that is why the Complainant's dog wasn't banned completely.

Further, in the discussion by the PWDCC Water Trial committee immediately after the 2018 incident, the Chair of the PWDCC Water Trial committee has stated in her witness statement that "I do not have it in writing but I do recall Mr. Illchuk voicing his opinion to me that Complainants dog should be banned from competing at future trials." "The committee agreed that the (Complainant) should inform future trials of our stipulations ...we felt that if another incident occurred and the club was not aware of the dog's history that PWDCC could be liable. It would be their decision as to whether the dog could trial or not." She added "With the further evidence that has now been provided by other witnesses I believe that the whole aggression report would have been thrown out" (referring to evidence discovered in the 2019 investigation). I would like to add that when I talked to (the owner of the dog that was attacked per the Aggression Report) there was no communication re any puncture wound on the ear of her dog"

The information above is all contained in documents, many of which were supplied by Mr. Illchuk.

Had Mr. Illchuk attended the hearing he would have been welcome to provide his side of things and, at the very least, provide the Hearing Committee with explanations or mitigating factors. At any time, Mr. Illchuk had the opportunity to revise his version of events but did not.

In conclusion, when taken together, the board of the PWDCC found that Mr. Illchuk clearly displayed a pattern of behavior which we inferred intent to disparage the Complainant essentially to prevent her from ever trialing again.

Sanctions:

The Portuguese Water Dog Club of Canada Code of Ethics (Excerpt):


All PWDCC members are representative of the club and our breed. Members are expected to conduct themselves in a manner which brings respect to the club and to the breed by displaying good sportsmanship at all events, civility, honesty and responsibility for their dogs and themselves at all times.

Code of Ethics for Canadian Kennel Club Members (Excerpt):

In order to preserve and enhance each breed's characteristics, The Canadian Kennel Club supports and encourages participation in shows, trials and other events. All members, whether they are exhibitors, handlers, judges or assistants will participate in such activities with honesty, fairness and integrity, ever mindful of the practice of "good sportsmanship";

1. Mr. Illchuk will not be permitted to judge at any Water Trial sanctioned by the PWDCC going forward.
2. Mr. Illchuk will not be permitted to participate in a Water Trial or any PWDCC club event.
3. Mr. Illchuk will not be permitted to be on a Water Trial Host Committee for any Water Trial sanctioned by the PWDCC.
4. Mr. Illchuk is suspended for the rest of his membership of the PWDCC (expiring April 1, 2020) and after that he will not be allowed to apply for membership for a period together totaling 6 months. This is the maximum suspension the PWDCC Board is allowed under the PWDCC By-laws.

Regards,



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Portuguese Water Dog Club of Canada  
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