29 September 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**BROCK WILSON**

**Date of hearing:** 22 September 2021

**Panel:** Justice Shane Marshall (Deputy Chairperson) and Mr Greg Childs.

**Appearances:** Mr Marwan El-Asmar appeared on behalf of the Stewards.

Mr Brock Wilson represented himself.

**Charge:** Local Racing Rule (“LR”) 42.9(a) states:

Where a greyhound has died (whether due to natural causes, accident, misadventure, euthanasia or otherwise):

(a) within 2 working days of the date of death (and prior to disposal of the body of the deceased greyhound), the Owner or person responsible for the greyhound must notify the Board in the prescribed form of the death of the greyhound and provide a veterinary certificate of euthanasia where available (including, without limitation, the written certificate or letter referred to in LR 42.8).

**Particulars of charges: Charge 1**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 45080) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. From June 2018, you were the owner of, and had the care of, greyhound ‘Mick McKenley’ (VDJNP).
3. In about December 2019, this greyhound was euthanised at the Broken Hill Veterinary Clinic
4. You failed to notify the Board within 2 working days of the death of ‘Mick Mckenley’ in the prescribed form.

**Charge 2**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 45080) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. From August 2018, you were the owner of, and had the care of, greyhound ‘Iron Ryan’ (VFGYP).
3. In about March 2020, this greyhound was euthanised at the Broken Hill Veterinary Clinic
4. You failed to notify the Board within 2 working days of the death of ‘Iron Ryan’ in the prescribed form.

**Charge 3**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 45080) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. From May 2016, you were the owner of, and had the care of greyhound ’Casual Regis’ (VDGDM).
3. In about March 2020, this greyhound was euthanised at the Broken Hill Veterinary Clinic
4. You failed to notify the Board within 2 working days of the death of ‘Casual Regis’ in the prescribed form.

**Charge 4**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 45080) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. From January 2016, you were the owner of, and had the care of, un-named greyhound (VFKLF).
3. In about June 2020, this greyhound died as a result of being struck by a motor vehicle.
4. You failed to notify the Board within 2 working days of the death of (VFKLF) in the prescribed form.

**Charge 5**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 45080) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. From January 2016, you were the owner of, and had the care of, un-named greyhound (VFKLJ).
3. In about October 2020, this greyhound died as a result of being bitten by a snake.
4. You failed to notify the Board within 2 working days of the death of (VFKLJ) in the prescribed form.

**Pleas:** Guilty

**DECISION**

1. Mr Brock Wilson is a registered greyhound trainer and breeder who has kennels near Mildura. He has been training for 16 years. He has been charged with 5 offences under Local Racing Rule (“LR”) 42.9(a). That sub-rule provides that, where a greyhound has died, within 2 working days of the date of death the person responsible for the greyhound must notify the Board of Greyhound Racing Victoria (“GRV”), in the prescribed form, and provide a veterinary certificate of the euthanasia where available.
2. The greyhound the subject of the first charge was a retired greyhound which was kept by Mr Wilson as a pet. The greyhound had pannus and was going blind. A veterinarian in Broken Hill suggested euthanasia. Mr Wilson agreed and the greyhound was euthanised. Mr Wilson did not advise GRV of the death of the greyhound. He thought that, as the greyhound was retired, he did not need to do so, but he was mistaken in that view.
3. The greyhounds the subject of Charges 2 and 3 were each in a trial at Broken Hill. They collided and sustained severe injuries. They were euthanised. Mr Wilson claims that he forwarded the necessary form to GRV, but none was received. It may have been forwarded in error to the New South Wales regulator.
4. The greyhounds the subject of Charges 4 and 5 were killed respectively by a car and a snake. They were retired greyhounds Mr Wilson was mistaken in his belief that no notification to GRV was required in respect of those retired dogs.
5. Mr Wilson pleaded guilty to the offences. Apart from Charges 2 and 3, the transgressions arose as a result of a genuine misunderstanding concerning notification of the death of retired dogs. He is now aware that deaths of retired greyhounds need to be notified to GRV, as well as deaths of active greyhounds.
6. The transgressions in Charges 2 and 3, arise out of the same sub-stratum of facts and involve a situation where it appears that Mr Wilson was not sufficiently careful to ensure that the correct forms had been sent to the right place.
7. The charges before the Tribunal are serious. In setting a penalty we take into account general and specific deterrence and the importance of the GRV keeping track of what happens to greyhounds to ensure the transparency of the industry and its commitment to animal welfare. We also take into account Mr Wilson’s guilty pleas, his good record over a long period of time training greyhounds and his co-operation with the Stewards. We further take into account recent penalties in two like cases, including that of Triaca.
8. On Charge 1, we impose a suspension of 3 months and impose a $1,000 fine. We impose the same penalties on each of the 4 remaining charges, but make each of them wholly concurrent with the penalty on charge 1. We distinguish the case of Triaca, where that trainer failed to attend the hearing and was completely defiant of the entire process and faced other serious charges. We are aware that Mr Wilson has compiled with this Rule in the past and his more recent non-compliance as demonstrated in this proceeding is regrettable. No doubt he with learn from those mistakes, being a person with an otherwise exemplary record over a long period as a trainer. The suspension imposed today shall commence immediately.

Mark Howard
Registrar, Victorian Racing Tribunal