7 October 2020

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MR CRAIG TRICKETT**

**Date of hearing:** 2 October 2020

**Panel:** Justice Shane Marshall (Deputy Chairperson) and Judge Julie Nicholson.

**Appearances:** Ms Sharn Coombes appeared on behalf of the Stewards.

Mr Craig Trickett represented himself.

**Charges:** Greyhounds Australasia Rule (GAR) 106(1)(a) states:

1. A registered person must ensure that greyhounds, which are in a person’s care or custody, are provided at all times with-
2. Proper and sufficient food, drink and protective apparel

(GAR) 106(1)(c) states:

1. A registered person must ensure that greyhounds, which are in a person’s care or custody, are provided at all times with-

(c) kennels constructed and of a standard approved by the Controlling Body which are adequate in size and which are kept in a clean and sanitary condition.

**Particulars of charges: Charge 1**

1. You were at all relevant times an owner and trainer licensed by Greyhound Racing Victoria (Number 305350) and a person bound by the Greyhound Australasia Rules and the Local Racing Rules.
2. You were at all relevant times the person responsible for the care and custody of the greyhounds housed at your residential premises.
3. You failed to ensure that registered greyhounds ‘Alice Sprung’, ‘Irish Swagger’ and a unnamed greyhound, which were in your care were provided with proper and sufficient food, drink and protective apparel.

**Charge 2**

1. You were at all relevant times an owner and trainer licensed by Greyhound Racing Victoria (Number 305350) and a person bound by the Greyhound Australasia Rules and the Local Racing Rules.
2. You were at all relevant times the person responsible for the care and custody of the greyhounds housed at your residential premises.
3. On Wednesday 26 June 2019 GRV Stewards identified that the kennel floor had piles of faeces, pools of urine and a fence fallen over restricting the movement of two (2) greyhounds.
4. On Thursday 4 July 2019, Welfare Inspectors again attended and identified that the kennel floor had piles of faeces and pools of urine and a fence which had fallen over restricting the movement of two (2) greyhounds, had still not been attended to as requested by Inspectors.

**Pleas:** Guilty

**DECISION**

1. Mr Craig Trickett was at all material times, a registered greyhound trainer. He operates his training from a property in Mt Doran, on the outskirts of Geelong. Mr Trickett is a hobby trainer. He is frequently away interstate driving trucks from Tuesday mornings to the following Thursday. When away, he leaves his greyhounds in the charge of his adult son.
2. On 26 June 2019 investigative Stewards carried out a kennel inspection at Mr Trickett’s training premises. They observed a kennel structure consisting of temporary cyclone fencing with 3 internal kennels separated by fencing panels. Until a few days prior to the inspection the kennels housed two dogs. One was a recent addition to Mr Trickett’s kennel.
3. Stewards observed that one of the separating fences had collapsed and was sitting across the middle kennel restricting the movement of two of the greyhounds causing a lack of bedding and access to water. Also, there were pools of urine and piles of faeces in the kennels. Stewards directed Mr Trickett’s son to arrange for the cleaning and disinfecting of the kennels and for separate sleeping areas for each dog.
4. Investigative Stewards visited again on 4 July 2019. The situation had not changed regarding cleanliness. The dividing fences had faeces leading to no access to water for one greyhound.
5. Stewards conducted an inquiry on 28 August 2019, during which Mr Trickett admitted that he failed to comply with the order to clean the kennels.
6. Stewards of Greyhound Racing Victoria (‘GRV’) have charged Mr Trickett with two offences. The first concerned Mr Trickett’s failure to provide the greyhounds with sufficient drink in accordance with Greyhounds Australasia Rule GAR 106(1)(a). The second concerned Mr Trickett’s failure to provide kennels constructed to an approved standard and adequate in size and kept in a sanitary condition.
7. Mr Trickett has pleaded guilty to each charge. We are comfortably satisfied that they are made out. In setting a penalty we take into account the guilty pleas, general and specific deterrence, recent penalties in like matters and animal welfare considerations.
8. Mr Trickett, in mitigation of penalty, raised the fact that none of the greyhounds were racing at the time and were retired. However, as a registered trainer having registered greyhounds at the property which is registered with GRV as his training base, he was obliged to comply with the rules of racing regarding proper kennels and access to water.
9. Taking all the above considerations into account we impose the following penalties:
10. On the charge under GAR 106(1)(a), a 6 month suspension fully suspended for 12 months on the condition that Mr Trickett not offend against any animal welfare provisions of the rules of racing.
11. We impose no extra penalty on the charge under GAR 106(1)(c).
12. The approach we have taken to the question of penalty has been materially informed by the decision of VCAT in the relatively recent case of Trim, decided on 14 February 2018. Against the submissions of the GRV we have decided not to impose a fine given the current difficult financial circumstances of Mr Trickett during the COVID-19 pandemic.

Mark Howard
Registrar, Victorian Racing Tribunal