18 February 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**DAVID BASILE**

**Date of hearing:** 15 February 2022

**Panel:** Magistrate John Doherty (Deputy Chairperson) and Mr Robert Abrahams.

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

Mr David Basile did not attend the hearing.

**Charges:** Local Racing Rule (“LR”) 42.6(i) states:

 (i) An Owner must:

 (i) keep detailed records of their compliance with LR 42.6; and

 (ii) provide records and evidence kept under this rule to a Steward or authorised officer of the Board on request.

 Greyhounds Australasia Rule (“GAR”) 105(4) states:

 (4)(i) A registered person shall within 3 working days of a greyhound coming pursuant to or leaving the person’s care or custody, give notice to the Controlling Body of that occurrence.

 GAR 86(p) states:

 A person (including an official) shall be guilty of an offence if the person-:

(p) Disobeys or fails to comply with the lawful order of a Steward or other person or body having official duties in relation to Greyhound Racing.

**Particulars of charges: Charge 1: LR 42.6(i)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 119788) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were, at all relevant times, the owner of the following registered greyhounds (‘the Greyhounds’):
* “Hey There Patty” (VGUSD)
* “Jan’s Star” (NEJES)
* “Rapana” (NEATY)
* “Maximum Tiff” (VGOSM); and
* Unnamed Greyhound (VHHRC).
1. The Greyhounds were rehomed to third parties between 29 April 2020 and 30 September 2020.
2. You failed to keep detailed records of your compliance with LR 42.6, in particular, you failed to keep any record of the new owners or locations in relation to the rehoming of the Greyhounds.

**Charge 2: GAR 105(4)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 119788) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. Between 30 October 2020 and 10 March 2021, the greyhound “Pumper” (VIWKV) was in your care or custody.
3. Between 30 October 2020 and 10 March 2021, you failed to notify the Controlling Body within 3 working days that the registered greyhound Pumper (VIWKV) had come into your care or custody.

**Charge 3: GAR 86(p)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 119788) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. On 3 December 2020, you were issued with a letter of direction requiring to you supply information and current location of the following greyhounds that were listed as being in your custody:
* “Hey There Patty” (VGUSD);
* “Jan’s Star” (NEJES);
* “Rapana” (NEATY); and
* Unnamed Greyhound (VHHRC).
1. You failed to comply with the letter of direction as issued by the Stewards.

**Pleas:** Guilty to all charges

**DECISION**

Mr David Basile has been a registered public breeder and trainer since 2005. He has elected not to participate in today’s hearing, but would understand that the charges against him would be heard in his absence with likely consequences for him. By way of explanation of these charges, Mr Basile told Stewards that his excuses for these offences included ignorance of the Rules, negligence and personal pressures, including the health of his grandmother.

A failure to maintain proper record keeping is central to the integrity of the sport. It undermines the ability of the regulator, Greyhound Racing Victoria (“GRV”), in circumstances where GRV relies heavily on licensed personnel to inform them where greyhounds are kennelled or when they are rehomed.

In respect of Charges 1, 2 and 3, we impose a period of three months suspension on each charge, to be served concurrently and in turn, the suspension is wholly suspended for 12 months. In addition, we also impose a $500 fine on each charge, to be served cumulatively. Thus, there is a total penalty of a three months suspension, wholly suspended for 12 months and a $1,500 fine.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal