11 March 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**JEFFREY GUY**

**Date of hearing:** 1 March 2022

**Panel:** Magistrate John Doherty (Deputy Chairperson) and Judge Marilyn Harbison.

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

Mr Jeffrey Guy represented himself.

**Charges:** 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 the 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).

LR 42.9(c) states:

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

(c) the body of the deceased greyhound must be disposed of:

(i) via a veterinary clinic;

(ii) via an animal cremation service approved by the Environmental Protection Authority; or

(iii) by an alternate method of disposal approved by the Board, the Stewards or an authorised officer on such conditions as they see fit.

Greyhounds Australasia Rule (“GAR”) 106(1)(c) states:

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

(c) Kennels constructed and of 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: LR 42.9(a)**

1. You were, at all relevant times, a registered Public Trainer with Greyhound Racing Victoria (“GRV”) (Member No. 149765) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. Between 9 June 2015 and 31 October 2019, you were the registered owner of the following greyhounds (“the greyhound”), which was whelped at your registered kennel address in Laharum, Victoria (“the property”).

* Unnamed greyhound (VHYCI);
* “Size it Up” (Q5591 28D);
* Unnamed greyhound (VIRPL);
* Unnamed greyhound (VHJSJ);
* Unnamed greyhound (VHWKP).

1. Between 1 January 2019 and 31 December 2019, the greyhounds were found deceased in the kennels on your property.
2. You failed to notify the Board within 2 working days (and prior to the disposal of the body of the deceased greyhound) of the death of the greyhound in the prescribed form.

**Charge 2: LR 42.9(c)**

1. You were, at all relevant times, a registered Public Trainer with Greyhound Racing Victoria (“GRV”) (Member No. 149765) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were, at the relevant time, a person responsible for the care and supervision of Greyhounds housed at your GRV registered kennelling address in Laharum, Victoria (“the property”).
3. Between 1 January 2019 and 31 December 2019, you arranged for the following greyhounds (“the greyhounds”) to be buried on the property in a manner which was not approved by the Greyhound Racing Victoria Board, the Stewards or an authorised officer.

* Unnamed greyhound (VFLGM);
* “Size it Up” (Q5591 28D);
* Unnamed greyhound (VIRPL);
* Unnamed greyhound (VHJSJ);
* Unnamed greyhound (VHWKP).

**Charge 3: GAR 106(1)(c)**

1. You were, at all relevant times, a Public Trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 149765) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were, at the relevant time, a person responsible for the care and supervision of Greyhounds housed at your GRV registered kennelling address in Laharum, Victoria (“the property”).
3. On 25 November 2020, GRIU Investigative Stewards attended the premises and identified registered greyhounds which were kept in conditions which included the following:

* Overcrowded kennels;
* Kennels containing faeces and urine on the floors;
* Stagnate wastewater in close proximity to kennels;
* Dirty water containers and dirty drinking water.

1. You failed to ensure that the registered greyhounds, which were in your care or custody, were provided at all times with kennels which were adequate in size and kept in clean and sanitary conditions.

**Pleas:** Guilty to all charges

**DECISION**

Mr Jeffrey Guy has been a registered public trainer and breeder with Greyhound Racing Victoria (“GRV”) since 2011.

As a result of a Stewards inspection of Mr Guy’s kennelling property on 25 November 2020, GRV have laid three charges against Mr Guy. They are stipulated above.

In relation to each of the five greyhounds which died, Mr Guy believes that he did report their death to GRV by telephone. The causes of death included greyhounds fighting and snake bite as well as natural and unknown causes. No records of the deaths were kept, and Mr Guy conceded that there are gaps in his knowledge relating to rehoming and reporting of the deaths. Mr Guy also conceded that his kennelling facility was not kept in a satisfactory condition and that he needed to improve his management of it. He understood that having too many greyhounds, leading to overcrowding, is not an excuse. He currently has 30 greyhounds.

Having said that, we are now alerted that Mr Guy has been compliant with the management of his kennels for the past 14 to 15 months. We also know that if Mr Guy did advise GRV of the death of the greyhounds, GRV did not respond to receiving that advice other than to record it on FastTrack. It may be an issue that requires further consideration in order to eliminate the possibility that advice from trainers is not recorded or overlooked.

In any event, Mr Guy has been cooperative with the Stewards and his pleas of guilty are noted. In respect of each of the three charges, we impose a suspension of Mr Guy’s licence for three months, which suspension is wholly suspended for 24 months. Each suspension is cumulative with the others, making a total of nine months suspension, wholly suspended for 24 months. In addition, in respect of Charges 1 and 2, we impose a fine of $500 on each charge, plus a fine of $1,000 in respect of Charge 3, making a total fine of $2,000.

Kathleen Scully  
Assistant Registrar, Victorian Racing Tribunal