31 May 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**JESS GRIMA**

**Date of hearing:** 18 May 2021

**Panel:** Judge Graeme Hicks (Deputy Chairperson) and Dr Andrew Gould.

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

Mr Jess Grima represented himself.

**Charges:** Greyhounds Australasia Rule (“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;

GAR 106(1)(d) states:

1. A registered person must ensure that greyhounds, which are in the person’s care or custody, are provided at all times with –
2. Veterinary attention when necessary.

**Particulars of charges: Charge 1**

1. You are and were at all relevant times a public trainer licenced by Greyhound Racing Victoria (GRV) (licence number 156033) and a person bound by The Greyhounds Australasia Rules (GAR) and Local Racing Rules (LRR).

1. On 14 February 2020, you were issued with a lawful order by the Stewards to seek veterinary treatment ‘within three days’ for the registered greyhound ‘Max the Maniac’ (VHALZ);
2. You failed to seek veterinary treatment ‘within three days’ as directed by the lawful order of the Stewards.

**Charge 2**

1. You are and were, at all relevant times, a trainer registered with Greyhound Racing Victoria (Member No. 156033) and a person bound by the Greyhound Australasia Rules and Local Rules of Racing.
2. You did, at all relevant times, have the care or custody of the greyhound ‘*Max the Maniac’* (Ear Brand: VHALZ) (**the Greyhound**).
3. On 14 February 2020, the Greyhound suffered a left hindleg metatarsal fracture at the Geelong Racing Club meeting.
4. ‘On Track Veterinarian’ Dr Craig FINLAYSON directed you to attend a veterinary practice within three (3) days. You attended the Sandown Veterinary Clinic eleven days later, on 25 February 2020 and the greyhound required surgery and amputation by Dr Alastair SMITH.
5. Between 14 February 2020 (when the Greyhound suffered the left hindleg metatarsal fracture) and 25 February 2020 (when the greyhound was presented to the Sandown Veterinary Clinic), you failed to provide veterinary attention to the Greyhound when such veterinary attention was necessary.

**Plea:** Guilty

**DECISION**

Mr Jess Grima you have pleaded guilty to breaching Greyhounds Australasia Rules 86(p) (Charge 1) and breaching Rule 106 (1)(d) (Charge 2).

On 14 February 2020 your greyhound Max The Maniac was engaged in race nine at the Geelong greyhound racing track. You had engaged Ian Blencowe as the handler of your greyhound for this race.

Your greyhound was vetted post-race by the on-course veterinarian, Dr Craig Finlayson, who documented that your greyhound had sustained a left hind leg metatarsal fracture and required further veterinary consultation within three days. Stewards imposed a 60-day stand down due to the injury and handed your representative a written order directing that your greyhound must be taken to a veterinarian within three days.

Max The Maniac was in fact not provided with any veterinary treatment until 25 February 2020, some 11 days after the race. On that date your greyhound required surgery and amputation of the second toe on the left hind leg.

On 31 July 2020 Stewards conducted an enquiry. During the enquiry you admitted that you were aware of the injury and the order of the night of 14 February 2020, as well as being aware that a veterinary assessment must take place within three days. You told Stewards during the enquiry that you tried to get treatment for your greyhound from the veterinarian of your choice, but you could not get an appointment. You stated to the Stewards enquiry that, in hindsight, you should have gone to a different veterinarian.

Your personal circumstances are that you are 33 years of age and have been in the greyhound industry for some 15 years. You currently train approximately 40 greyhounds.

We have taken into account your pleas of guilty, your personal circumstances and your history within the greyhound racing industry.

Animal welfare must be at the forefront in the treatment of greyhounds within the industry. On this occasion, you had the opportunity to treat your greyhound with professional veterinarian treatment, but you failed to do so. It is also very important that those within the industry obey official orders.

Principles of general deterrence and specific deterrence have their part to play in arriving at an appropriate penalty. In all circumstances we impose a penalty in respect of charge 1 of

$500 and in respect of charge 2 a penalty of $2,000.

Mark Howard
Registrar, Victorian Racing Tribunal