13 May 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**LINDSAY FULFORD**

**Date of hearing:** 22 April 2022

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

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

Mr Lindsay Fulford represented himself.

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

(a) An Owner must make all reasonable efforts to avoid euthanasia of their greyhound by finding it a suitable long term home.

LR 42.6(b) states:

(b) An Owner must provide the Board with at least 14 days but no more than 42 days, prior written notice, in the approved form, of an intention to euthanise a fit and healthy greyhound. For the avoidance of doubt, a notice under this sub-rule can only be lodged after the requirements of LR42.6(c) have been met.

LR 42.9(a) states:

(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).

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

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 230820), and a person bound by the Greyhound Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were, at all relevant times, the registered owner of, and had the care of, the greyhound “Ann Cherie” (VEADO).
3. On 17 July 2019, the greyhound Ann Cherie (VEADO) was euthanised at the Walnut Veterinary Clinic.
4. You did not make any reasonable efforts to find a suitable long-term home for Ann Cherie (VEADO).

**Charge 2: LR 42.6(b)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 230820), and a person bound by the Greyhound Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were, at all relevant times, the registered owner of, and had the care of, greyhound “Ann Cherie” (VEADO).
3. On 17 July 2019, the greyhound Ann Cherie (VEADO) was euthanised at the Walnut Veterinary Clinic.

1. You did not provide the Board with at least 14 days’ notice of your intention to euthanise the greyhound Ann Cherie (VEADO).

**Charge 3: LR 42.9(a)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 230820) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were, at all relevant times, the registered owner of, and had the care of, the greyhound “Ann Cherie” (VEADO).
3. On 17 July 2019, the greyhound Ann Cherie (VEADO) was euthanised at the Walnut Veterinary Clinic.
4. You failed to notify the Board within 2 working days of the death of the greyhound Ann Cherie (VEADO) in the prescribed form and provide the veterinary certificate of euthanasia.

**Charge 4: LR 42.6(a)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 230820), and a person bound by the Greyhound Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were, at all relevant times, the registered owner of, and had the care of, the greyhound “Irish Wind” (VFMXW).
3. On 17 July 2019, the greyhound Irish Wind (VFMXW was euthanised at the Walnut Veterinary Clinic.
4. You did not make any reasonable efforts to find a suitable long-term home for the greyhound ‘Irish Wind’ (VFMXW).

**Charge 5: LR 42.6(b)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 230820), and a person bound by the Greyhound Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were, at all relevant times, the registered owner of, and had the care of, the greyhound “Irish Wind” (VFMXW).
3. On 17 July 2019, the greyhound Irish Wind (VFMXW) was euthanised at the Walnut Veterinary Clinic.
4. You did not provide the Board with at least 14 days’ notice of your intention to euthanise the greyhound Irish Wind (VFMXW).

**Charge 6: LR 42.9(a)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 230820) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were, at all relevant times, the registered owner of, and had the care of, greyhound “Irish Wind” (VFMXW).
3. On 17 July 2019, the greyhound Irish Wind (VFMXW) was euthanised at the Walnut Veterinary Clinic.
4. You failed to notify the Board within 2 working days of the death of the greyhound Irish Wind (VFMXW) in the prescribed form and provide the veterinary certificate of euthanasia.

**Charge 7: LR 42.6(a)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 230820), and a person bound by the Greyhound Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were, at all relevant times, the registered owner of, and had the care of, the greyhound “Early King” (VDXHO).
3. On 9 October 2019, the greyhound Early King (VDXHO) was euthanised at the Walnut Veterinary Clinic.
4. You did not make any reasonable efforts to find a suitable long-term home for the greyhound Early King (VDXHO).

**Charge 8: LR 42.6(b)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 230820), and a person bound by the Greyhound Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were, at all relevant times, the registered owner of, and had the care of, the greyhound “Early King” (VDXHO).
3. On 9 October 2019, the greyhound Early King (VDXHO) was euthanised at the Walnut Veterinary Clinic.
4. You did not provide the Board with at least 14 days’ notice of your intention to euthanise the greyhound ‘Early King’ (VDXHO).

**Charge 9: LR 42.9(a)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 230820) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were, at all relevant times, the registered owner of, and had the care of, the greyhound “Early King” (VDXHO).
3. On 9 October 2019, the greyhound Early King (VDXHO) was euthanised at the Walnut Veterinary Clinic.
4. You failed to notify the Board within 2 working days of the death of the greyhound ‘Early King’ (VDXHO) in the prescribed form.

**Plea:** Guilty to all charges

**DECISION**

On 23 August 2021, an inquiry was held into Mr Lindsay Fulford. In summary, Mr Fulford was unaware of the requirement to try to re-home three greyhounds or to notify Greyhound Racing Victoria (“GRV”) of an intent to euthanise and believed that his vet would notify GRV of their death.

Mr Fulford has been a registered trainer since June 2012. His infractions of the Rules previous to today relate to race-day incidents, e.g. weight variances.

Stewards concede that Mr Fulford, who trains in collaboration with his son, Mr Corey Fulford, may be regarded as a secondary offender in terms of today’s proceedings. Mr Fulford is 66 years of age, a diabetic with a recent history of open heart surgery and is on a disability pension. He is now cognisant of his responsibility to abide by the Rules of greyhound racing and understands the importance of providing up to date information to GRV about the management of greyhounds from an animal welfare perspective.

In our view, which Stewards accept, he is entitled to be treated more leniently than his son, Corey, who has also pleaded guilty to the charges brought against them today.

In relation to Charges 1, 2, 4, 5, 7 and 8, we fix a period of six months suspension, wholly suspended for six months.

In relation to Charges 3, 6 and 9, we fix a period of three months suspension, wholly suspended for three months.

Kathleen Scully
Acting Registrar, Victorian Racing Tribunal