10 July 2020

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MR MARK GRIMA**

**Date of hearing:** 1 July 2020

**Panel:** Judge John Bowman (Chairperson) and Justice Shane Marshall (Deputy Chairperson).

**Appearances:** Mr Andrew Cusumano appeared on behalf of the Stewards.

Mr John Buckley represented himself.

**Charge:** Greyhounds Australasia Rule (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.

(GAR) 106 (2)states:

1. A registered person must exercise such reasonable care and supervision as may be necessary to prevent greyhounds pursuant to the person’s care or custody from being subjected to unnecessary pain or suffering.

(GAR) 86 (d)states:

(d) being an owner, trainer, attendant or person having official duties in relation to greyhound racing, makes a false or misleading statement in relation to an investigation, examination, test or inquiry, or makes or causes to be made a falsification in a document in connection with greyhound racing or the registration of a greyhound;

**Particulars of charge:**

**Charge 1**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (Member No. 33847) 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 ‘*Raw Luxury*’ (Microchip Number: 956000003269134; Ear Brand: WFALI) (**the Greyhound**).
3. On 13 September 2019, the Greyhound suffered a large open wound on its ventral neck from a dog fight at your kennel address.
4. On 19 September 2019, and after GRV Investigative Steward Mr Simon Primrose attended your kennel address and issued you with an immediate direction to seek veterinary attention for the Greyhound, you presented the Greyhound to Dr Jessica Rossi at the Sandown Medical Clinic
5. Between 13 September 2019 (when the Greyhound suffered the large open wound on its ventral neck) and 19 September 2019 (when the greyhound was presented to the Sandown Medical Clinic), you failed to provide veterinary attention to the Greyhound when such veterinary attention was necessary.

**Charge 2**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (Member No. 33847) 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 ‘*Raw Luxury*’ (Microchip Number: 956000003269134; Ear Brand: WFALI) (**the Greyhound**).
3. On 13 September 2019, the Greyhound suffered a large open wound on its ventral neck from a dog fight at your kennel address.
4. On 19 September 2019, and after GRV Investigative Steward Mr Simon Primrose attended your kennel address and issued you with an immediate direction to seek veterinary attention for the Greyhound, you presented the Greyhound to Dr Jessica Rossi at the Sandown Medical Clinic
5. Between 13 September 2019 (when the Greyhound suffered the large open wound on its ventral neck) and 19 September 2019 (when the greyhound was presented to the Sandown Medical Clinic), you failed to provide veterinary attention to the Greyhound when such veterinary attention was necessary.
6. As a result of your failure to provide veterinary attention to the Greyhound between 13 September 2019 and 19 Setpember 2019, the Greyhound was subjected to unnecessary pain or suffering.

**Charge 3**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (Member No. 33847) 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 ‘*Raw Luxury*’ (Microchip Number: 956000003269134; Ear Brand: WFALI) (**the Greyhound**).
3. On 19 September 2019, GRV Investigative Steward Mr Simon Primrose attended to your kennel address, to undertake a kennel inspection (**the Kennel Inspection**).
4. You made a false or misleading statement during the Kennel Inspection, in that upon Mr Primrose confirming that the incident involving the Greyhound occurred the previous Friday (being 13 September 2019) and asking you when you last took the Greyhound to the Vet, you stated “*on Saturday morning”*, in circumstances where you had not taken the Greyhound to the Vet on that date or at all prior to 19 September 2019.

**Plea:** Guilty

**DECISION**

1. Mr Mark Grima is a registered greyhound trainer and the trainer of the greyhound ‘Raw Luxury’. At about 6.30pm on Friday 13 September 2019, Raw Luxury suffered a gaping wound to the neck after being bitten by another greyhound at Mr Grima’s kennel.
2. Mr Grima applied a bandage to the affected area. Dr Karamatic, the Chief Veterinarian of Greyhound Racing Victoria (GRV), has provided evidence that the application of the bandage was a useful temporary measure to stop the bleeding and the spread of infection. However, Dr Karmatic stated that the need for urgent veterinary attention should have been obvious.
3. Investigative Stewards of GRV found the greyhound on Thursday 19 September 2019 with the bandage over its gaping wound. Mr Grima told the Stewards that he had taken the greyhound to a veterinarian on Saturday 14 September. This was false. Mr Grima said that he panicked when he gave that false information to the Stewards. The Stewards observed, when they removed the bandage, a serious gaping wound to the neck of the greyhound, approximately 10cm x 16cm and extremely deep.
4. According to Dr Karamatic the wound would have required immediate attention when inflicted. He also considered that the failure to immediately treat the wound would have caused unnecessary pain and suffering to the greyhound.
5. Stewards of GRV have charged Mr Grima with 3 offences. They are as follows:

* Under Greyhounds Australasia Rule (GAR) 106(1)(d), for failing to provide veterinary attention when necessary.
* Under GAR 106(2), for failing to exercise such reasonable care and supervision as may be necessary to prevent a greyhound from being subject to unnecessary pain and suffering when in that person’s care.
* Under GAR 86(d), for making a false and misleading statement in relation to an inquiry.

1. Mr Grima has pleaded guilty to all charges. The charge under GAR106(1)(d) is the most serious one. This Tribunal takes charges of this type concerning animal welfare extremely seriously. We have had regard to previous penalties in like matters, the trainer’s guilty plea, his distressing personal circumstances at the time and previous good record. We impose a 2 year period of disqualification with effect from 19 September 2019, the date of his indefinite suspension by the Stewards.
2. On the charge under GAR106(1)(d) we impose a penalty of a fine of $1,500.
3. On the charge under GAR86(d), we impose a penalty of 3 months suspension concurrent with the period of disqualification under, GAR106(2) charge.

Mark Howard  
Registrar, Victorian Racing Tribunal