28 November 2019

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MR PAT SOFRA**

**Date of hearing:** 28 November 2019

**Panel:** Judge John Bowman (Chairperson), Justice Shane Marshall (Deputy Chairperson) and Dr Andrew Gould.

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

Mr Pat Sofra represented himself.

**Charge:** Local Racing Rule 42.6(b) states:

Rehoming and notice requirements

(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 euthanase 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.

**Particulars of charges:** On 20 August 2018 you did euthanise greyhound Hot Cup (Ear Brand VFNSB, Microchip 956000005390716), with the reason recorded on FastTrack as ‘lack of ability’.

Prior to the euthanasia you did fail to:

Provide the Board with at least 14 days prior written knowledge, in the approved form, of an intention to euthanase a fit and healthy greyhound.

**Plea:** Guilty

**DECISION**

1. Mr Pat Sofra is a registered greyhound trainer and breeder and at all material times was the managing owner of the syndicate which owned the greyhound “Hot Cup”.
2. Hot Cup was euthanised in Tasmania on 20 August 2018. Stewards of Greyhound Racing Victoria (“GRV”) have charged Mr Sofra with breaching Local Racing Rule (LRR) 42.6(b) which provides that an owner must give the Board at least 14 days prior written notice of an intention to euthanise a fit and healthy greyhound. Hot Cup was fit and healthy. The reason for his euthanasia was his aggressive behaviour.
3. At the time of the euthanasia, LRR 42.6 had been in effect for nearly one year. Mr Sofra was not aware of the new rule. He has pleaded guilty to the charge. He is remorseful and understands that the purpose of the new rule is to ensure that all alternatives are considered before euthanasia takes place.
4. In setting a penalty we take into account general deterrence, the importance of animal welfare and like penalties in recent cases imposed by the GRV Racing Appeals and Disciplinary Board. In all the circumstances we fine Mr Sofra $250. We also suspend Mr Sofra for 12 months but fully suspend that penalty on the condition that Mr Sofra not breach LRR42.6 in the next 12 months.

Mark Howard
Registrar, Victorian Racing Tribunal