11 April 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**PETER DUNLEVEY**

**Date of hearing:** 23 March 2022

**Panel:** Judge John Bowman (Chairperson) and Ms Amanda Dickens.

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

Mr Peter Dunlevey represented himself.

**Charges:** Greyhounds Australasia Rule (“GAR”) 105(4)(i) states:

(4)(i) A registered person shall within 3 working days of a greyhound coming pursuant to or leaving the person’s care or

custody, give notice to the Controlling Body of that occurrence.

**Particulars of charges: Charge 1**

1. You were, at all relevant times, a Public Trainer registered with Greyhound Racing Victoria (“GRV”) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were at all relevant times the person responsible for the care and supervision of Greyhounds housed at your GRV registered premises in Tragowel, Victoria.
3. In February 2019, you retired an un-named greyhound (VEONL) (“the greyhound”) and proceeded to relocate the greyhound from your property to that of registered participant, Mr Tim Hore, following which you failed to notify Greyhound Racing Victoria within 3 working days of the greyhound leaving your care or custody.

**Charge 2**

1. You were, at all relevant times, a Public Trainer registered with Greyhound Racing Victoria (“GRV”) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were at all relevant times the person responsible for the care and supervision of Greyhounds housed at your GRV registered premises in Tragowel, Victoria.
3. In February 2019, you retired an un-named greyhound (VEONI) (“the greyhound”) and proceeded to relocate the greyhound from your property to that of registered participant, Mr Tim Hore, following which you failed to notify Greyhound Racing Victoria within 3 working days of the greyhound leaving your care or custody.

**Charge 3**

1. You were, at all relevant times, a Public Trainer registered with Greyhound Racing Victoria (“GRV”) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were at all relevant times the person responsible for the care and supervision of Greyhounds housed at your GRV registered premises in Tragowel, Victoria.
3. In October 2019, you retired an un-named greyhound (VGVRB) (“the greyhound”) and proceeded to relocate the greyhound from your property to that of registered participant, Mr. Tim Hore, following which you failed to notify Greyhound Racing Victoria within 3 working days of the greyhound leaving your care or custody.

**Charge 4**

1. You were, at all relevant times, a Public Trainer registered with Greyhound Racing Victoria (“GRV”) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were at all relevant times the person responsible for the care and supervision of Greyhounds housed at your GRV registered premises in Tragowel, Victoria.
3. In May 2020, you retired an un-named greyhound (VGVRD) (“the greyhound”) and proceeded to relocate the greyhound from your property to that of registered participant, Mr Tim Hore, following which you failed to notify Greyhound Racing Victoria within 3 working days of the greyhound leaving your care or custody.

**Charge 5**

1. You were, at all relevant times, a Public Trainer registered with Greyhound Racing Victoria (“GRV”) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were at all relevant times the person responsible for the care and supervision of Greyhounds housed at your GRV registered premises in Tragowel, Victoria.
3. In May 2020, you retired an un-named greyhound (VGVRC) (“the greyhound”) and proceeded to relocate the greyhound from your property to that of registered participant, Mr Tim Hore, following which you failed to notify Greyhound Racing Victoria within 3 working days of the greyhound leaving your care or custody.

**Charge 6**

1. You were, at all relevant times, a Public Trainer registered with Greyhound Racing Victoria (“GRV”) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were at all relevant times the person responsible for the care and supervision of Greyhounds housed at your GRV registered premises in Tragowel, Victoria.
3. In May 2020, you retired an un-named greyhound (VGVQZ) (“the greyhound”) and proceeded to relocate the greyhound from your property to that of registered participant, Mr Tim Hore, following which you failed to notify Greyhound Racing Victoria within 3 working days of the greyhound leaving your care or custody.

**Charge 7**

1. You were, at all relevant times, a Public Trainer registered with Greyhound Racing Victoria (“GRV”) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You were at all relevant times the person responsible for the care and supervision of Greyhounds housed at your GRV registered premises in Tragowel, Victoria.
3. In May 2020, you retired an un-named greyhound (VGVRA) (“the greyhound”) and proceeded to relocate the greyhound from your property to that of registered participant, Mr Tim Hore, following which you failed to notify Greyhound Racing Victoria within 3 working days of the greyhound leaving your care or custody.

**Pleas:** Guilty to all charges

**DECISION**

Mr Peter Dunlevey, you are a licensed trainer who is pleading guilty to seven charges, each of them involving a breach of Greyhounds Australasia Rule (“GAR”) 105(4)(i). Each concerns your failure to notify the controlling body of a greyhound leaving your care and custody.

Each greyhound, when retired, was moved from your premises to the farm of a friend, Mr Tim Hore. This occurred over a period. You were in partnership with Mr Hore and, as dogs from the particular litter were retired, each was rehomed at the farm of Mr Hore. The problem is that you did not notify Greyhound Racing Victoria (“GRV”) of these transfers.

We accept that you are a supporter of the Greyhound Adoption Program (“GAP”), having gone to considerable trouble to take approximately 14 retired dogs to GAP at Seymour. You have been successful in getting them into the program. In these seven cases, the dogs went to Mr Hore’s farm and you failed to appreciate that there was paperwork to be completed.

You are essentially a hobby trainer with kennels for six dogs, although you have fewer than that at the moment. You have been registered as a trainer for approximately 30 years, but, as we understand it, virtually always as a hobby trainer. You live near Cohuna and you are effectively the “town baker” there. You have no record of any prior similar offence and have cooperated fully with the Stewards from the outset.

General deterrence if of particular importance in relation to record keeping and informing GRV of the movement of registered dogs. The industry depends on the full cooperation of trainers and other participants in this regard.

We consider the penalty suggested by Mr El-Asmar, on behalf of the Stewards, to be appropriate, particularly given you early plea of guilty.

On Charge 1, you are suspended for a period of three months, but that suspension is in turn suspended for 12 months. We are confident that you will not commit a further such offence during that period. In addition, you are fined the sum of $500.

On each of Charges 2 – 7, a penalty of three months suspension is imposed on each of the charges, but in each instance, it is concurrent with the penalty imposed on Charge 1.

We reserve liberty to apply in the event that there is any confusion as to the effect of these orders.

Finally, we commend you for your use of the GAP and the trouble to which you have gone in order to deliver suitable dogs to it.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal