20 May 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**RICKY COLEMAN**

**Date of hearing:** 13 May 2022

**Panel:** Justice Shane Marshall (Deputy Chairperson) and Mr Greg Childs.

**Appearances:** Mr Liam Bourke, instructed by Mr Anthony Pearce, appeared on behalf of the Stewards.

Mr Ricky Coleman did not attend the hearing.

**Charge:** Greyhounds Australasia Rule (“GAR”) 86(f)(iv) states:

(f) engages in, publishes or causes to be published, broadcasts or causes to be broadcast, the use of any contemptuous, unseemly, improper, insulting, or offensive language, conduct or behaviour in any manner or form towards, or in relation to-

(iv) Any other person having official duties in regard to greyhound racing.

**Particulars of charge:** You, Mr Ricky Coleman, being a person registered with Greyhound Racing Victoria (“GRV”), did engage in the use of insulting and/or, improper and/or offensive language towards a person having official duties in regard to greyhound racing, in that:

1. You are, and were at all relevant times, a trainer registered with GRV (Member No. 305972) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. During the race meeting held at the Geelong Greyhound Racing Club on Tuesday 26 October 2021, you engaged in the use of improper and/or insulting and/or offensive language towards Parade Official, Mr Gianni Ristuccia, when you stated to him:

a. “You illiterate fucking cunt”.

1. Mr Ristuccia was acting in the capacity of Parade Official and was a person undertaking official duties in relation to greyhound racing, at the time.

**Plea:** Not Guilty

**DECISION**

1. Mr Ricky Coleman is a registered greyhound trainer. He has been charged by Greyhound Racing Victoria (“GRV”) Stewards with an offence under Greyhounds Australasia Rule (“GAR”) 86(f)(iv). That Rule prohibits, inter alia, the use of improper and/or insulting language towards a person having official duties with respect to greyhound racing.
2. Mr Gianni Ristuccia was engaged by GRV to act as a Parade Official and undertook those duties at a race meeting held at Geelong Greyhound Racing Club on 26 October 2021. While acting in that capacity, Mr Ristuccia was spoken to by Mr Coleman in the following terms:

“You illiterate fucking cunt”.

That was said in an aggressive manner.

1. In an interview with the Stewards, Mr Coleman agreed that he used words to that effect. Mr Coleman has been a licensed public trainer for nearly seven years and should have been aware of the Rules regarding treatment of GRV staff by licensed persons.
2. At his interview with the Stewards, Mr Coleman expressed frustration with the time limits of the parade Steward. That frustration did not justify him being personally abusive and demeaning to the official. Mr Coleman initially said he could not remember saying the F word, but admitted to saying words to the effect of “can’t you get the dogs out for the stir up four minutes before the race states, you illiterate [fucking] cunt”. The Stewards then opened an inquiry into the matter. Mr Ristuccia was called and gave evidence that the above words, including the F word, were directed at him. He said he was angry, but decided to ignore Mr Coleman. Mr Ristuccia also said that Mr Coleman later apologised to him and said he had “other things going on at the time”.
3. Mr Coleman was given adequate notice of this hearing, but has ignored all attempts by the Assistant Registrar of the Tribunal to contact him. We treat him as having entered a not guilty plea. We are comfortably satisfied that the offence has been committed, given the admissions made at the Stewards’ inquiry and the evidence of Mr Ristuccia.
4. We note that Mr Coleman has previous offences for using insulting language to other racing participants. In those matters, Stewards imposed small fines and, in one case, a fully suspended suspension. General deterrence is extremely important in this case. No person performing official duties should be treated in such a manner by licensed persons. This matter calls for a significant penalty, ameliorated by his apology to the official and his cooperation with the Stewards. In all the circumstances, particularly having regard to prior conduct offences, we impose a suspension of three months to commence today. We also impose a fine of $1,500, but suspend $500 on the condition that there be no further breach of any conduct related offence under the GARs in the next 24 months.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal