22 May 2025

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**IVAN CHIRCOP**

**Date of Penalty Hearing:** 6 May 2025

**Date of Decision:** 6 May 2025

**Panel:** Judge Marilyn Harbison (Deputy Chairperson), Mr Des Gleeson and Dr Andrew Gould.

**Appearances:** Mr Anthony Pearce appeared on behalf of the Stewards.

Mr Ivan Chircop represented himself.

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

 (2) A person must exercise the care and supervision necessary to prevent a greyhound under the person's care or custody from being subjected to unnecessary pain or suffering, or from anything which is likely to lead to unnecessary pain or suffering.

GAR 164(a) states:

 An offence is committed if a person (including an official):

(a) makes a false or misleading statement in relation to or during an investigation, inspection, examination, test or inquiry (or at any other disciplinary process, hearing or appeal proceeding) or makes or causes to be made a falsification in a document in connection with greyhound racing or the registration of a greyhound.

GAR 156(h) states:

An offence is committed if a person (including an official):

(h) disobeys or fails to comply with a lawful order of a Controlling Body, the Stewards, or another person authorised by a Controlling Body with official duties in relation to greyhound racing.

GAR 21(1)(d) states:

(1) A person must ensure that any greyhound in the person's care or custody, is at all times provided with:

(d) veterinary attention when necessary.

GAR 151(1) states:

(1) The person in charge of a greyhound must keep and retain written records detailing all vaccinations, antiparasitics and treatments administered to the greyhound:

(a) from the time the greyhound enters their care until the greyhound leaves their care;

(b) for a minimum of two years.

GAR 21(3) states:

(3) A person shall not cause or permit, on any premises owned or occupied by that person, any condition that is likely to be dangerous to the health, welfare or safety of that greyhound.

**Particulars of charges: Charge 1: GAR 21(2)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 234711) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you were the owner of, and had the care or custody of, the greyhound “Prince Of Haddon” (VHLSM), which was housed at your kennel address.

3. On 29 April 2024, you reported the unexpected death of Prince Of Haddon to GRV and advised that the greyhound had died as a result of a snake bite.

4. On 14 May 2024, a post-mortem examination found that Prince Of Haddon had most likely died as a result of starvation.

5. You have failed to exercise the care and supervision necessary to prevent Prince Of Haddon, a greyhound in your care or custody, from being subjected to unnecessary pain or suffering, or from anything which is likely to lead to unnecessary pain or suffering.

**Charge 2: GAR 164(a)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 234711) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you were the owner of, and had the care or custody of, the greyhound “Prince Of Haddon” (VHLSM), which was housed at your kennel address.

3. On 29 April 2024, you reported the unexpected death of Prince Of Haddon to GRV and advised that the greyhound had died as a result of a snake bite.

4. On this day you provided Integrity officials a photograph of the snake you had located in the greyhounds kennel, and which you stated caused the death of Prince Of Haddon.

5. The photograph was subsequently shown to have been taken on 6 October 2023.

6. You have made false or misleading statements in relation to an investigation and/or inquiries into the death of the greyhound, Prince Of Haddon.

**Charge 3: GAR 156(h)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 234711) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you were the owner of, and had the care or custody of, the greyhound “Prince Of Haddon” (VHLSM), which was housed at your kennel address.

3. On 1 May 2024, Investigative Stewards issued you with a Lawful Order directing you to surrender your mobile phone for the purpose of forensic analysis.

4. You refused to surrender your mobile phone and therefore failed to comply with the Lawful Order.

**Charge 4: GAR 21(2)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 234711) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you had the care and custody of the greyhound “In The Shadows” (VFYTU).

3. On 13 May 2024, Investigative Stewards attended your kennel address and observed IN THE SHADOWS with injuries to its rear left leg.

4. On 15 May 2024, following a veterinary inspection, In The Shadows was euthanised.

5. On 17 May 2024, a necropsy of In The Shadows found that the greyhound was suffering from bone cancer (prolonged); as well as other conditions including, emaciated body condition and secondary indications of starvation.

6. You have failed to exercise the care and supervision necessary to prevent In The Shadows, a greyhound in your care or custody, from being subjected to unnecessary pain or suffering, or from anything which is likely to lead to unnecessary pain or suffering.

**Charge 5: GAR 21(1)(d)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 234711) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you had the care and custody of the greyhound “In The Shadows” (VFYTU).

3. On 13 May 2024, Investigative Stewards attended your kennel address and observed In The Shadows with injuries to its rear left leg.

4. On 15 May 2024, following a veterinary inspection, In The Shadows was euthanised.

5. On 17 May 2024, a necropsy of In The Shadows found that the greyhound was suffering from bone cancer (prolonged); as well as other conditions including, emaciated body condition and secondary indications of starvation.

6. You have failed to ensure that In The Shadows, a greyhound in your care or custody, is at all times provided with veterinary attention when necessary.

**Charge 6: GAR 151(1)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 234711) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you were in the care or custody of the greyhound “In The Shadows” (VFYTU).

3. On 11 July 2024, Investigative Stewards attended your kennel address and requested your treatment records for this greyhound.

4. Treatment records provided on this day were incomplete.

**Charge 7: GAR 151(1)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 234711) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you were in charge of the greyhound Unnamed “Lily” (VEMXF).

3. On 11 July 2024, Investigative Stewards attended your kennel address and requested your treatment records for this greyhound.

4. Treatment records provided on this day were incomplete and detailed no entries.

**Charge 8: GAR 21(1)(d)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 234711) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you had the care or custody of the greyhound Unnamed “Lily” (VEMXF).

3. On 13 May 2024, Investigative Stewards attended your kennel address and observed Lily suffering with longstanding and severe behavioural health issues.

4. Lily had not been provided with any relevant treatment or veterinary attention to address these issues.

5. You have failed to ensure that Lily, a greyhound in your care or custody, is at all times provided with veterinary attention when necessary.

**Charge 9: GAR 21(2)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 234711) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you had the care or custody of the greyhound Unnamed “Lily” (VEMXF).

3. On 13 May 2024, Investigative Stewards attended your kennel address and observed Lily suffering with longstanding and severe behavioural health issues.

4. Lily had not been provided with any relevant treatment or veterinary attention to address these issues.

5. You have failed to exercise the care and supervision necessary to prevent ‘Lily’, a greyhound in your care or custody, from being subjected to unnecessary pain or suffering, or from anything which is likely to lead to unnecessary pain or suffering.

**Charge 10: GAR 21(3)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 234711) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you were in the care or custody of the greyhound Unnamed “Shifty” (VJBWD) at your registered kennel address.

3. On 13 May 2024 Investigative Stewards attended your kennel address and observed Shifty in an emaciated condition and significantly underweight.

4. You have caused or permitted, on a premises owned or occupied by you, a condition that is likely to be dangerous to the health, welfare or safety of the greyhound Shifty.

**Charge 11: GAR 21(3)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 234711) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you were in the care or custody of the greyhound “Eumeralla Rosie” (VDGOID) at your registered kennel address.

3. On 13 May 2024 Investigative Stewards attended your kennel address and observed Eumeralla Rosie’ in an emaciated condition and significantly underweight.

4. You have caused or permitted, on a premises owned or occupied by you, a condition that is likely to be dangerous to the health, welfare or safety of the greyhound Eumeralla Rosie.

**Charge 12: GAR 151(1)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 234711) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you had the care or custody of the greyhound Eumeralla Rosie (VDGOID).

3. On 13 May 2024, Investigative Stewards attended your kennel address and observed Eumeralla Rosie in an emaciated condition and significantly underweight.

4. You stated the greyhound had previously been diagnosed with acidosis and was under the veterinary care of Dr Michael Bell and receiving treatment for a possible infection.

5. Treatment records provided to Investigative Stewards were found to be incomplete.

**Charge 13: GAR 21(3)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 234711) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you were in the care or custody of the greyhound “Winchel Lad” (NICZI) at your registered kennel address.

3. On 13 May 2024, Investigative Stewards attended your kennel address and observed Winchel Lad in an emaciated condition and significantly underweight.

4. You have caused or permitted, on a premises owned or occupied by you, a condition that is likely to be dangerous to the health, welfare or safety of the greyhound ‘Winchel Lad’.

**Pleas:** Guilty to Charges 3, 6, 7 and 12

Not Guilty to Charges 1, 2, 4, 5, 8, 9, 10, 11, 13

**DECISION**

1. Mr Ivan Chircop appeared before this Tribunal at a contested hearing over three days in February of this year. He faced nine serious charges. We found him guilty of one of those contested charges. In addition, Mr Chircop has pleaded guilty to three further charges. It now falls to us to sentence him on four charges. The facts surrounding all these charges are set out in full in our decision of 18, 19 and 20 February 2025 and we will not repeat them here.

**Charge 3 – Failure to hand over mobile phone.**

1. This is a charge of disobeying a lawful order of the Stewards. This relates to a request by the Stewards on 1 May 2024 that Mr Chircop hand over his mobile phone and his refusal to do so. He has pleaded guilty to this charge.
2. Mr Jack O'Connell, gave evidence that, in the course of his investigation, he required Mr Chircop to hand over his mobile phone. He served a notice requiring this to be done on 3 May 2024 via email. He gave evidence that Mr Chircop refused to do so, saying that he had just become a father and wanted to remain contactable by his wife. Mr O'Connell gave evidence that he explained to Mr Chircop that in doing so he was committing an offence, but Mr Chircop still refused to hand over the phone.
3. Mr Chircop has conceded these facts. He asks us to take into account in sentencing that the couple’s first child had been born on 26 April 2024, some ten days before. He was very anxious to support his wife in this period and had so put his obligations to her before his obligations to the Stewards.
4. The charge of failing to comply with an order of the Stewards is a serious one. The authority of the Stewards is vital. In imposing a sentence for this offence, the tribunal emphasises that the Stewards must be given full cooperation in their investigations. There is a specific provision under the Rules for a telephone to be requisitioned by the Stewards. Mr Chircop chose to put his own requirements above his obligations under the Rules. There was no excuse for him so doing.

**Charges 6, 7 and 12** – **Failing to maintain treatment records**

1. Mr Chircop is charged with failing to maintain or retain treatment records in relation to three greyhounds. They are an unnamed dog with the pet name Lily, In the Shadows and Eumarella Rosie. He has pleaded guilty to this charge.
2. In relation to each of these dogs it was evident that they had received veterinary treatment from Dr Michael Bell. However, that veterinary treatment was not in the treatment records. When asked about this issue by the Stewards, Mr Chircop said that he did not usually keep treatment records of retired dogs.
3. It is very important that this Tribunal emphasises that trainers must be vigilant in keeping records. This is so that the Stewards are able to ascertain what substances are ingested by greyhounds and whether there has been compliance with the high standards of care required under the Rules. This supervisory function extends to the care of retired, as well as active, greyhounds.

**Charge 1 – Failure to exercise care to prevent pain and suffering to Prince of Haddon**

1. We have found Mr Chircop guilty of this charge.
2. We regard this as being the most serious charge. The medical evidence is that Mr Chircop’s failure to realise that Prince of Haddon was gravely ill meant that the dog suffered for at least a week in severe pain.
3. We do not find that he starved the dog. We accept the evidence that this dog, as well as all the other dogs in his care, received adequate food. However, clearly the obstruction prevented the dog from absorbing that food. We recognise that this outcome was not anticipated by Mr Chircop and that the week with which we are concerned was a very busy one for him. His wife had given birth two days before the dog’s death. He did not realise that the dog was rapidly losing weight and becoming emaciated. However, this is not an acceptable excuse. Participants in this industry are charged with a heavy responsibility in ensuring the welfare of each dog in their care. Mr Chircop has failed to live up to that responsibility.
4. In sentencing him for this offence, we are very conscious of the need for general deterrence. It must be demonstrated to all participants in this industry that the welfare of dogs is not negotiable.
5. We also wish to emphasise that it is vital that owners and trainers carefully consider how many dogs they can care for, taking into account that personal circumstances can sometimes suddenly change. Each participant is obliged to maintain extremely high standards of care for every dog, regardless of his personal obligations.
6. Mr Chircop has some significant prior offences. These offences also relate to the welfare of dogs under his care. They are as follows.
7. He has an animal welfare conviction in 2019, which was dealt with by the Racing Appeals and Disciplinary Board. It involved the keeping of four greyhounds in conditions which were held to be dangerous to their welfare.
8. He has two other convictions in 2020 and 2023 which relate to failure to comply with Stewards’ requirements as to the keeping of records and evidencing a lack of cooperation with the Stewards.
9. His licence was suspended for two months in late 2023 for attempting to interfere with a weighing test being carried out by the Stewards.
10. He has also had a series of relatively minor offences for which he has received fines and severe reprimands.
11. Mr Chircop submitted that he has learned his lesson. He has been registered since 2008, a period of 17 years.
12. He has pleaded guilty to each one of the charges for which we are to sentence him, except for charge 1. These guilty pleas are taken into account in his favour in sentencing him today.
13. Further, it is clear that he has already suffered significant consequences as a result of these proceedings. His trainer’s licence was suspended by the Stewards on 17 July 2024. He has not been permitted to participate in the industry since that time, which is a period of over 9 months. This has meant a significant financial penalty. He has many dogs and has been working at two jobs in very arduous circumstances in order to make enough money to feed them.
14. In all the circumstances, the penalties which we impose are as follows.
15. On Charge 1, which we regard as the principal sentence, we impose a period of disqualification of twelve months.
16. On Charge 3, which is a charge of failing to obey a direction of the Stewards, we impose a period of disqualification of three months. We order that one month of this period of disqualification be served cumulatively on the period imposed on Charge 1.
17. This makes a total disqualification period of 13 months. This period of disqualification is to commence from 17 July 2024, which is the date from which Mr Chircop has been suspended in connection with this case.
18. On each of Charges 6, 7 and 12, which are charges of failing to provide treatment records, we impose a fine of $500, each penalty to be served concurrently, resulting in an effective fine of $500.

Mark Howard

Registrar, Victorian Racing Tribunal