9 September 2025

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**VANESSA JOHNSON**

**Date of hearings:** 26 August 2025 and 27 August 2025

**Date of decision:** 3 September 2025

**Venue of hearing:** Sale Turf Club, 1227 Sale-Maffra Rd, Sale

**Panel:** Judge Marilyn Harbison (Deputy Chairperson) and Dr Andrew Gould.

**Appearances:** Ms Amara Hughes, instructed by Ms Evangeline Murray, appeared on behalf of the Stewards.

Mr Vanessa Johnson represented herself and appeared as a witness.

**Charges and particulars:**

**Charge No. 1 of 6**

Greyhounds Australasia Rule 156 (e) reads as follows:

An offence is committed if a person:

(e) aids, abets, counsels or procures a person to commit a breach of the Rules.

**Particulars of the Charge being:**

1. You were at all times, the Owner of BEKERE (NKGZO), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY), registered with Greyhound Racing Victoria (GRV) (Member No. 317549) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. On 19 June 2024 you rehomed greyhounds, SAME NIGHTMARE (VLAPN), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) to a friend of your partner, that person being Josh HENSCHEL.
3. On 20 June 2024 greyhound SAME NIGHTMARE (VLAPN) died at your premises. You then assisted your partner to rehome BEKERE (NKGZO) to Josh HENSCHEL instead of SAME NIGHTMARE (VLAPN) as it was deceased.
4. Josh HENSCHEL was not a genuine rehoming prospect and there is no evidence that he took possession of the greyhounds. You and your partner waited for an opportunity to surrender the greyhounds to the local pound after the 21 day requirement in the Code of Practice for the Keeping of Racing Greyhounds elapsed.
5. On 24 July 2024 about 30 days after the false transfer to Josh HENSCHEL, your partner and Josh HENSCHEL surrendered greyhounds BEKERE (NKGZO), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) to Latrobe City Council Pound.
6. You aided and abetted your partner to breach the rules when you completed and submitted the Notice of Retirement as a Pet – Transfer to New Owner forms for the three greyhounds, BEKERE (NKGZO), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) for rehoming to Josh HENSCHEL.
7. GAR 156(e) is a serious charge.

**Charge No. 2 of 6**

Local Rule **12.4.** reads as follows:

It is a *Serious Offence* to provide false or misleading information to the *Controlling Body* in connection with Rule 12.

**Particulars of the Charge being:**

1. You were at all times, the Owner of BEKERE (NKGZO), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) registered with Greyhound Racing Victoria (GRV) (Member No. 317549) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. On 19 June 2024 you completed documents referred to as Notice of Retirement as a Pet – Transfer to New Owner alleging you had rehomed greyhounds, SAME NIGHTMARE (VLAPN), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) to a friend of your partner, that person being Josh HENSCHEL.
3. On 20 June 2024 greyhound SAME NIGHTMARE (VLAPN) died at your premises. You then completed a document referred to as Notice of Retirement as a Pet – Transfer to New Owner alleging you had rehomed greyhound BEKERE (NKGZO) to Josh HENSCHEL instead of SAME NIGHTMARE (VLAPN) as it was deceased.
4. Josh HENSCHEL was not a genuine rehoming prospect and there is no evidence that he took possession of the greyhounds.
5. You and your partner waited for an opportunity to surrender the greyhounds to the local pound after the 21 day requirement in the Code of Practice for the Keeping of Racing Greyhounds elapsed.
6. On 24 July 2024 about 30 days after the false transfer to HENSCHEL, your partner and HENSCHEL surrendered greyhounds BEKERE (NKGZO), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) to Latrobe City Council Pound.
7. The documents referred to as Notice of Retirement as a Pet – Transfer to New Owner were submitted to GRV in accordance with Local Rule12.
8. You provided false or misleading information in connection to Local Rule 12 by submitting the documents referred to as v for the above mentioned greyhounds knowing the documents contained false and misleading information.
9. LR 12.4 is a serious offence.

**Charge No. 3 of 6**

Greyhounds Australasia Rule **156 (v)** reads as follows:

An offence is committed if a person:

(v) in the opinion of the Controlling Body or its Stewards, is guilty of neglect or any dishonest, corrupt or improper act or practice in connection with the breeding, registration, sale or transfer of greyhounds, or has attempted such an act or practice.

**Particulars of the Charge being:**

1. You were at all times, the Owner of BEKERE (NKGZO), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) registered with Greyhound Racing Victoria (GRV) (Member No. 317549) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. On 19 June 2024 you rehomed greyhounds, SAME NIGHTMARE (VLAPN), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) to a friend of your partner, that person being Josh HENSCHEL.
3. On 20 June 2024 greyhound SAME NIGHTMARE (VLAPN) died at your premises. You then assisted your partner to rehome BEKERE (NKGZO) to Josh HENSCHEL instead of SAME NIGHTMARE (VLAPN) as it was deceased.
4. Josh HENSCHEL was not a genuine rehoming prospect and there is no evidence that he took possession of the greyhounds. You and your partner waited for an opportunity to surrender the greyhounds to the local pound after the 21 day requirement in the Code of Practice for the Keeping of Racing Greyhounds elapsed.
5. On 24 July 2024 about 30 days after the false transfer to HENSCHEL, your partner and HENSCHEL surrendered greyhounds BEKERE (NKGZO), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) to Latrobe City Council Pound.
6. You have engaged in a dishonest, corrupt or improper act in connection with the transfer of greyhounds BEKERE (NKGZO) FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY).
7. GAR 156(v) is a serious charge.

**Charge No. 4 of 6**

Greyhounds Australasia Rule 156 (w) reads as follows:

An offence is committed if a person:

(w) fails to comply with a policy or code of practice adopted by a Controlling Body.

**Particulars of the Charge being:**

1. You were at all times, the Owner of BEKERE (NKGZO), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) registered with Greyhound Racing Victoria (GRV) (Member No. 317549) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. On 19 June 2024 you rehomed greyhounds, SAME NIGHTMARE (VLAPN), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) to a friend of your partner, that person being Josh HENSCHEL.
3. On 20 June 2024 greyhound SAME NIGHTMARE (VLAPN) died at your premises. You then assisted your partner to rehome BEKERE (NKGZO) to Josh HENSCHEL instead of SAME NIGHTMARE (VLAPN) as it was deceased.
4. Josh HENSCHEL was not a genuine rehoming prospect and there is no evidence that he took possession of the greyhounds. You and your partner waited for an opportunity to surrender the greyhounds to the local pound after the 21 day requirement in the Code of Practice for the Keeping of Racing Greyhounds elapsed.
5. On 24 July 2024 about 30 days after the false transfer to Josh HENSCHEL, your partner and Josh HENSCHEL surrendered greyhounds BEKERE (NKGZO), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) to Latrobe City Council Pound.
6. By surrendering BEKERE (NKGZO), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) to Latrobe City Council Pound it is believed you are in breach of 6.5.1 of the Code of Practice For The Keeping of Racing Greyhounds.

**Charge No. 5 of 6**

Local Rule **12.1.** reads as follows:

When a *greyhound* is to no longer be utilised for *racing* or *breeding* purposes, every effort must be made by the *Owner* of the *greyhound* to rehome that *greyhound* to an appropriate home.

**Particulars of the Charge being:**

1. You were at all times, the Owner of BEKERE (NKGZO), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) registered with Greyhound Racing Victoria (GRV) (Member No. 317549) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. On 19 June 2024 you rehomed greyhounds, SAME NIGHTMARE (VLAPN), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) to a friend of your partner, that person being Josh HENSCHEL.
3. On 20 June 2024 greyhound SAME NIGHTMARE (VLAPN) died at your premises. You then assisted your partner to rehome BEKERE (NKGZO) to Josh HENSCHEL instead of SAME NIGHTMARE (VLAPN) as it was deceased.
4. Josh HENSCHEL was not a genuine rehoming prospect and there is no evidence that he took possession of the greyhounds. You and your partner waited for an opportunity to surrender the greyhounds to the local pound after the 21 day requirement in the Code of Practice for the Keeping of Racing Greyhounds elapsed.
5. On 24 July 2024 about 30 days after the false transfer to HENSCHEL, your partner and Josh HENSCHEL surrendered greyhounds BEKERE (NKGZO), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) to Latrobe City Council Pound.
6. You did not make the required effort as the Owner to rehome of BEKERE (NKGZO), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) to an appropriate home.

**Charge No. 6 of 6**

Greyhounds Australasia Rule 165 (a) reads as follows:

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

(a) commits or omits to do any act or engages in conduct which is in any way detrimental or prejudicial to the interest, welfare, image, control or promotion of greyhound racing**.**

**Particulars of the Charge being:**

1. You were at all times, the Owner of BEKERE (NKGZO), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) registered with Greyhound Racing Victoria (GRV) (Member No. 317549) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. Your partner assisted in surrendering greyhounds, BEKERE (NKGZO), FRIDAY KNOCK OFF (NKASU) and CANNONEER (VKHWY) to the Latrobe City pound.
3. On 28 July 2024 at 11:46am Racing 2 Rehome a greyhound adoption agency, made a Facebook post that in part related to the suspicious rehoming of the three greyhounds your partner surrendered.
4. Your partner responded to the Racing 2 Rehome Facebook post, effectively identifying himself publicly and admitting to his involvement in the matter stating it was genuine rehoming.
5. As at 5:02 pm on the 29 July 2024 the Facebook post had 325 negative emoji reactions, 205 comments and 126 shares. Most of the comments highlighted the negative impact such conduct has on the industry.
6. Your actions in the false rehoming and subsequent pound surrender, lead to the creation of a negative Facebook thread that your partner also commented in. Your conduct is detrimental to the interest, welfare, image, control and promotion of greyhound racing.

 **Pleas:** Not Guilty to Charges 1 – 5

 Charge 6 was withdrawn by the Stewards.

**DECISION**

1. Ms Vanessa Johnson has been a registered owner and trainer with Greyhound Racing Victoria (“GRV”) for seven years. She comes before this Tribunal charged with five offences. The offences arise out of the transfer of three greyhounds owned by her to Mr Josh Henschel, who is not a racing participant. The names of the greyhounds are “Bekere”, “Friday Knockoff” and “Cannoneer”.
2. Ms Johnson has pleaded not guilty to each charge.
3. The transfers were facilitated by Mr Gerry Orr, who, at the time, was Ms Johnson’s domestic partner and was also a registered owner and trainer.
4. The transfers were made for the purpose of the dogs being adopted out of the industry and ceasing their racing careers. The Stewards say that this rehoming was a sham and was effected in order to dispose of the greyhounds to a pound. It is not permitted for a greyhound owner to dispose of a racing greyhound to a pound. Mr Henschel (with Mr Orr’s assistance) surrendered all three greyhounds to his local pound within a month of the transfer having been signed.
5. Mr Gerry Orr has previously been found guilty of offences arising out of this rehoming. This proceeding concerns the question of whether the rehoming was bona fide, and if not, the extent of Ms Johnson's involvement in that sham rehoming arrangement.
6. To a certain extent, the facts of this case overlap with the facts found in Mr Orr’s case. However, it is important to emphasise that in coming to a conclusion as to whether any of these offences are made out, we must be satisfied that they have been proved to our comfortable satisfaction in respect of Ms Johnson. The fact that her domestic partner has been convicted does not mean that she must also be convicted. We must be independently satisfied of this from the facts in the case presented against her and not draw inferences against her simply because of her domestic relationship.
7. The first charge is that Ms Johnson aided and abetted Mr Orr to breach the greyhound Rules by completing and submitting forms of transfer of the three greyhounds from herself to Mr Josh Henschel.
8. The second charge is that by completing and submitting the forms to GRV, Ms Johnson provided false or misleading information to the Stewards knowing that the documents contained false and misleading information. The Stewards suggest that Mr Henschel was not a genuine rehoming prospect and there is no evidence that he took possession of the greyhounds. The Stewards say that Ms Johnson signed the transfer documents knowing that this was the case.
9. The third charge is committing a dishonest, corrupt or improper act by transferring the greyhounds to Mr Henschel with the purpose of ultimately surrendering the greyhounds to the local pound. This charge relies upon the allegation that the transfer to Mr Henschel was a ruse in order to avoid compliance with the requirement that a greyhound participant must not surrender a dog to a pound.
10. The fourth charge is that Ms Johnson failed to comply with the Code of Practice adopted by GRV in relation to the rehoming of greyhounds. That code requires a participant to rehome retired greyhounds to a suitable home. It is alleged that in participating in the transfer to Mr Henschel, she failed to ensure the greyhounds were to be rehomed to a suitable home. It is important to note that this charge does not depend upon proof of the falsity of the transfer documents. It focuses on the suitability or otherwise of the home to which the greyhounds were transferred.
11. The last charge is a charge that she failed to comply with Local Racing Rule (“LR”) 12.1. This Rule provides that when a greyhound is no longer to be utilised for racing or breeding purposes, every effort must be made by the owner of the greyhound to rehome that greyhound to an appropriate home. It is alleged that she did not make the required effort under that Rule to rehome the three greyhounds to appropriate homes.
12. Charges 4 and 5 cover identical material. The conduct complained of is said to be in breach of section 6.5.1 of the Code of Conduct for rehoming greyhounds, and the same conduct is said to be also in breach of Rule 12.1 of the LRs, which came into operation in 2022.
13. Ms Johnson was also charged on the brief with committing an act detrimental or prejudicial to the interests of racing. This charge was laid in connection with some Facebook posts connected to the circumstances of the rehoming. It was not suggested that Ms Johnson created any of those posts. This charge was withdrawn by the Stewards at the commencement of the hearing.

**Charge 1 - Aid and abet Mr Gerry Orr**

1. We declare ourselves satisfied that the arrangement between Mr Orr and Mr Henschel was not a legitimate rehoming. It is clear from the circumstances that this is the case. Much of the evidence presented on this issue was identical with that presented in respect of Mr Orr. We shall not repeat it in detail but indicate that we have reached the same conclusion in this case as we did in Mr Orr’s case.
2. The principal matters which lead us to this conclusion are as follows.
3. Firstly, we accept the evidence of the GRV employees Ms Amanda Henderson and Ms Jessica Houghton to the effect that from conversations between those persons and Mr Orr, it was clear that he knew that a greyhound could not be surrendered to a pound, and that he knew that a greyhound owner must take a greyhound back if it is surrendered for any reason within 21 days of the transfer. We also note and accept the evidence from Mr Peter Strong that the greyhounds were never housed at the address shown on the transfer form.
4. We also accept the evidence of Ms Danni Dunn, the pound keeper to whom the dogs were surrendered, and agree that it supports an inference that Mr Orr was at the pound with Mr Henschel at the time the dogs were surrendered to the pound. We agree that the detail provided in the forms lodged by Mr Henschel must have come from Mr Orr – he having previously had custody of the dogs, and we draw the inference from those matters that Mr Orr actively assisted Mr Henschel to transport the dogs to the pound for rehoming in breach of the GRV rules.
5. Ms Johnson did not contest this evidence and produced no evidence throwing doubt on these conclusions.
6. We are thus satisfied that the transfer was a sham, effected in order to get around the requirement that an owner must not surrender a racing greyhound to a pound.
7. The real issue in Charge 1 is whether Ms Johnson aided and abetted Mr Orr to carry out this plan. The Stewards submitted that the evidence shows that she did. The Stewards submitted that by allowing the preparation of the documents on her behalf with little to no supervision, she is complicit in this offending.
8. After the Stewards’ submissions had concluded, Ms Johnson obtained leave from us to introduce further evidence. She said that she had been present when Mr Orr had telephoned GRV and that GRV had confirmed that she could authorise Mr Orr to carry out the rehoming of the dogs. She said that it was only because of this assurance by GRV that she allowed Mr Orr to supervise the rehoming process.
9. We view this evidence with some suspicion, given that she could not recall any significant details as to when it had occurred or exactly what was said.
10. However, whether this evidence is accepted or not, it is clear that a person can authorise another person to act in rehoming. GRV does not contest that this is what happened in this case.
11. In their final submissions, the Stewards did not submit that Ms Johnson had actual knowledge that the transaction was a sham. Instead, it was submitted that she was liable even though she had no actual knowledge of the nature of the transaction.
12. It was submitted that she had performed a positive action in signing over the greyhound to someone she did not know and that she was clearly responsible for the results of that action, whether she intended to aid and abet a breach of the Rules or not, as the rehoming could not take place without her signature. It was said that her lack of knowledge of the details of the plan was no defence because owners are held to a very high standard to ensure that rehoming is done properly. It was submitted that it would be inappropriate for greyhound owners to be able to relinquish responsibility simply by having another person carry out the rehoming process.
13. Counsel pointed out that the Commonwealth Criminal Code allows for a conviction for aiding and abetting in a situation where intention cannot be proven but where the accused is reckless as to the commission of an offence. Ms Hughes invited us to adopt a similar approach in considering the Rules of Racing, and to conclude in this case that the actions of Ms Johnson amounted to recklessness, in that she failed to oversee the rehoming issues as she was required to do as an owner.
14. Counsel also submitted that the common law approach was that aiding and abetting could be proven if the person charged had a legal duty to act and failed to do so. Here it was said that Ms Johnson had a legal duty to oversee the rehoming process and did not do so.
15. In the circumstances of this case, we do not consider that the Stewards can rely on Ms Johnson’s failure to properly engage with the rehoming process as amounting to aiding and abetting of Mr Orr’s offending.
16. The Stewards are unable to establish that Ms Johnson knew that the transfer was a sham. We do not consider that a person can be said to aid and abet a breach of the Rules unless that person has at least a general understanding that the Rule is to be breached in some way.
17. We further do not characterise Ms Johnson’s failure to oversee the rehoming process as reckless, given that Mr Orr was her domestic partner, he had much greater experience in the greyhound industry than her and that she had limited facility in the English language.
18. We are satisfied that she has not exercised any independent judgement in signing the transfers, but instead merely signed what was requested of her by Mr Orr. She placed her faith in him, as a much more experienced trainer than she was. She was wrong to do so, but in our opinion, this does not mean that she actively aided or abetted the wrongful activity, or that her behaviour should be characterised as reckless in any relevant legal sense.
19. Counsel referred by analogy to the prohibition against presenting a dog not free of a prohibited substance. She argued that Ms Johnson’s act of signing the transfer documents without being aware that they were part of a sham transaction could be likened to the act of an owner presenting a dog for a race without being aware that it contained prohibited substances. It was suggested that neither Rule required proof of knowledge of the offending behaviour.
20. We are not persuaded that this is a correct analogy. Presentation offences are by their nature offences of strict liability – an offence is committed even though the owner has no knowledge of wrongdoing. The offence of aiding and abetting is not an offence of strict liability – the requisite state of mind of the owner is one of the elements of the offence.
21. This charge is dismissed.

**Charge 2 – False and misleading Information**

1. The second charge relies upon the same fact situation. It is asserted that Ms Johnson provided false or misleading information to GRV by submitting the transfer documents knowing that each transfer document contained false and misleading information.
2. The false and misleading information relied on is the assertion that the dogs would be rehomed to Mr Henschel’s address, and the implied assertion that he would be taking possession of the dogs.
3. In considering this charge, we note that the allegation in the particulars is that Ms Johnson joined with Mr Orr in entering into this transaction to avoid the 21 day Rule, and that she, with him, deliberately waited until the 21 days had elapsed to surrender the greyhounds. The particulars also assert that when the transfer was lodged with GRV, Ms Johnson knew that the information contained in it was false and misleading.
4. Given the way this charge has been pleaded, it is not enough that the documents were in fact false and misleading – the Stewards must also prove that Ms Johnson must have known of this at the time the documents were signed by her and submitted to GRV. This is the case which Ms Johnson must meet.
5. There is simply no evidence from which to draw this conclusion. This charge is also dismissed.

**Charge 3 – Dishonest corrupt or improper act**

1. The third charge is a charge that Ms Johnson engaged in a dishonest, corrupt or improper act by participating in the scheme to falsely transfer the dogs to Mr Henschel with a view to later abandoning them at the pound.

1. The Stewards contended that proof of knowledge of the true nature of the transfer was not essential to this charge. We do not agree. By the very wording of the particulars, it is clear that the Stewards assert that she, together with Mr Orr, waited for an opportunity to surrender the greyhounds.
2. The allegation made in this charge is very serious. We do not accept that it can be proven by proof of a reckless failure to oversee the actions of Mr Orr. It makes no sense to suggest that an owner can unintentionally engage in a dishonest, improper or corrupt act. Each of these words presupposes intention. This charge stands or falls on the Stewards being able to prove that she knew of the plan – or at least knew that the plan involved a breach of the Rules of Racing and agreed to be involved its execution. We are not satisfied that this is so.
3. This charge is dismissed.

**Charge 4 – Fail to find suitable home**

1. The fourth charge is the charge that Ms Johnson failed to comply with the code for rehoming of greyhounds, by failing to rehome them to a suitable home.
2. Ms Johnson, as the owner of the three greyhounds, had a responsibility to ensure that the greyhounds were properly rehomed in accordance with the code. She has told us that she delegated this responsibility to Mr Orr, and she did so because she trusted him as an experienced trainer. She completely abrogated this responsibility to Mr Orr. She did not go to see the property at which the dogs were to be rehomed. She never met the new owner. She never asked Mr Orr any questions as to the rehoming process.
3. She clearly had very little knowledge of what the rehoming Rules were. In our view, she failed to take any sufficient steps to ensure that her obligations were complied with. She had very little understanding of what or had been done on her behalf. She claimed not to know the person to whom the dogs were rehomed. She knew very little about the process of advertising to obtain suitable owners. She knew nothing about whether the new premises were inspected, or what arrangements had been made for the welfare of the dogs during the transfer process. She did know that the dogs needed to be desexed. She knew very little else about the transfer.
4. In our view it is not appropriate for an owner to simply delegate the whole of the responsibility for the rehoming of a dog to another person without independently satisfying themselves that the rehoming is appropriate.
5. In this case, the rehoming to Mr Henschel, even if legitimate, was completely unsuitable. Mr Henschel had no premises at which the dogs could be kept. There were no kennels on the property to house greyhounds. He had no experience with any dogs, let alone greyhounds, and yet was to take three of them. There was no evidence of any proper preparation of the dogs for rehoming.
6. The charge is therefore proven.

**Charge 5 – No effort to rehome**

1. The fifth charge is that Ms Johnson made no effort to rehome the dogs, in breach of LR 12.1. We are also persuaded that this charge is proven, for the same reasons as outlined in relation to Charge 4. Ms Johnson did nothing other than sign the documents which were put in front of her by Mr Orr. This is not sufficient effort in our view.
2. We are satisfied that this charge is proven.
3. Accordingly, the orders which we will make are as follows.
4. Charges 1, 2 and 3 are dismissed. Charges 4 and 5 are proven.

Mark Howard

Registrar, Victorian Racing Tribunal