

Racing Appeals & Disciplinary Board

Media Release

5 April 2017

Racing Appeals & Disciplinary Board

Date of Hearing: Wednesday, 5 April 2017
Venue of Hearing: Law Institute of Victoria, 470 Bourke Street, Melbourne
Panel: Mr. Shane Marshall (Chairman), Ms. Gail Owen (Deputy Chairman), and Mr. John Hutchison
Name of Person Charged: Mr. Ronald Jolley
Town: Kilmore East
Track: N/A
Dates: Between 26 and 29 June 2016
GAR No: GAR 106 (1)(d) and GAR 106 (2)

Offences Charged: Charge (1) In that between 26 and 29 June 2016, being a registered person, Mr. Jolley did fail to ensure that a greyhound in his care and custody, namely greyhound 'Marbo' also known as 'Buck', bearing microchip number 95600003253249, was provided with veterinary attention when necessary.

Charge (2) In that between 26 and 29 June 2016, being a registered person, Mr. Jolley did fail to exercise such reasonable care and supervision as was necessary to prevent greyhound 'Marbo' also known as 'Buck', pursuant to his care and custody, from being subjected to unnecessary pain and suffering.

REPORT:

The Stewards of Greyhound Racing Victoria conducted an investigation into the animal welfare issues of Mr. Ronald Jolley at his property at Kilmore East between 26 and 29 June 2016.

During the investigation, Stewards received evidence from registered trainer Mr. Ronald Jolley, Mr. Russell Colquhoun (GRV – Investigator), Ms. Lori Read (Complainant), Mr. Stuart Marchesani (RSPCA inspector), Ms. Lauren Roberts (RSPCA inspector), Dr. Christine Sheridan (Veterinarian) and Dr. Anthony James (GRV - Veterinary Inspection Officer).

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After considering the evidence, Stewards charged Mr. Jolley with breaches of Greyhounds Australasia Rules as indicated in charges (1) and (2) above.

Under Rule 47.1 of the Greyhound Racing Victoria Local Rules breaches of GAR 106 (1) (d) and GAR 106 (2) constitute Serious Offences. As a result on Wednesday, 5 April 2016 this matter was heard before the Racing Appeals and Disciplinary Board in the first instance under Greyhound Local Racing Rule 47.3 and Sections 83C(b) and 83M(1) of the Racing Act.

Mr. Ronald Jolley did not appear at the hearing.

Mr. Marwan El-Asmar GRV Managing Principal Lawyer represented the Stewards Panel.

DECISION:

1. At all material times, Mr. Ronald Jolley was a registered owner/trainer of greyhounds. In June 2016, he rented accommodation and a kennelling area at a property in Kilmore East. At that time Mr. Jolley had one greyhound under his care and control at the property. The greyhound's registered name was "Marbo" but his kennel name was "Buck".
2. At about 5.30pm on Sunday 26 June 2016, Buck was injured on the property as a result of being attacked by a Kangaroo. In a record of interview conducted with Greyhound Racing Victoria ("GRV") investigators, Mr. Jolley said that the injury was to the rib cage area and that "it was obviously extremely painful". Despite that fact, Mr. Jolley did not seek out of hours emergency veterinary assistance for the greyhound. Instead he used some old "leftover" painkiller tablets, some betadine and he claims a bandage. He said that he formed the view at that stage that Buck should be put down but did nothing towards that end for 3 days.
3. On Monday 27 June 2016, Buck had been left by Mr. Jolley in his external kennel area. That day Buck was observed by Ms. Lori Read, an employee of the owner of the property. According to Ms. Read, Buck appeared to be very distressed and to be suffering pain. She observed him to be "curled up" in his kennel, non-communicative and whining when moved.
4. Ms. Read coaxed Buck to the fence of his enclosure and observed a large gaping wound near the front of his rib cage, immediately behind and below the right shoulder. There was no evidence that the injury had been treated. It was not bandaged or dressed. Ms. Read took two photographs of the wound on her mobile phone camera. Ms. Read was unable to locate Mr. Jolley, who was not on the property. Ms. Read contacted the Royal Society for the Prevention of Cruelty to Animals ("RSPCA"). She told the RSPCA about Buck's condition and forwarded the photographs to the RSPCA.

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5. The RSPCA contacted Mr. Jolley, through one of its officials, in a telephone call on Tuesday 28 June 2016. Mr. Jolley told the RSPCA that Buck was under the care of Dr. Bell at the Craigieburn Animal Hospital for his injury and had been admitted for treatment. The RSPCA contacted Dr. Bell later that day to find that Mr. Jolley had lied about Buck being treated by Dr. Bell. Dr. Bell had not seen Buck since 2014. Later on 28 June 2016, the RSPCA contacted Mr. Jolley and directed him to immediately present Buck to a veterinarian for assessment and treatment. Mr. Jolley admitted to lying about taking Buck to Dr. Bell. He told the GRV investigators that he intended to put Buck down but that the RSPCA's intervention had delayed that action.
6. After the direction by the RSPCA, Mr. Jolley took Buck to the Kilmore East Veterinary Clinic where he was assessed by Dr. Sheridan and her staff. Buck was admitted overnight. Dr. Sheridan told Mr. Jolley that Buck's injury was treatable with relatively simple surgery and a skin graft and that she expected he would make a full recovery. At this stage the injury was not life threatening but was causing Buck severe distress and pain when left untreated. Mr. Jolley admitted to GRV investigators that the injury "was obviously extremely painful".
7. Mr. Jolley refused to allow Dr. Sheridan to treat Buck at the Clinic. He told Dr. Sheridan that he would arrange for Dr. Bell to treat Buck. Mr. Jolley told GRV investigators that the surgery at Dr. Sheridan's clinic was going to cost \$2,000 and that he was not in a financial state to pay for it.
8. When Mr. Jolley arrived back at the property with Buck on Wednesday, 29 June 2016 he shot Buck in the head using a .22 calibre rifle and buried him on a neighbouring property. Buck was killed by one shot through his forehead.
9. Later on 29 June 2016 the RSPCA made contact with Mr. Jolley and secured his agreement to surrender ownership of Buck to the RSPCA which would provide full treatment and care for Buck. Mr. Jolley did not tell the RSPCA that he had already killed Buck. Two days later RSPCA officials came to collect Buck at a pre-arranged time. After lying about Buck's location by claiming he had run away, Mr. Jolley admitted that he had shot Buck. He took the RSPCA officials to the burial site where Buck's body was exhumed and his identity confirmed by microchip scanning.
10. Apart from the alleged costs of surgery, Mr. Jolley was unable to tell GRV investigators why he didn't seek veterinary treatment for Buck. He claimed it was his intention to put Buck down after first seeing the injury but offered no explanation as to why he hadn't done so by the time the RSPCA called him. He was unable to offer any explanation for the lies he told to the RSPCA.
11. According to Dr. James, a GRV Veterinary Inspection Officer, after observing the photographs of the injury to Buck, the injury was acute and would have been painful

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and caused suffering. Dr. James said, in the circumstances, the injury did not justify euthanasia of the greyhound. In his opinion the injury could have been repaired with appropriate veterinary treatment and nursing care. According to Dr. James, Mr. Jolley failed to provide Buck with veterinary attention when necessary and caused Buck unnecessary pain and suffering.

12. Stewards of GRV have laid two charges against Mr. Jolley for serious offences under Greyhound Australasia Rules ("GAR"). The first charge is pursuant to GAR 106 (1) (d). That provision states that:-

"A registered person must ensure that greyhounds, which are in the person's care or custody are provided at all times with ...

(d) Veterinary attention when necessary.

The second charge is pursuant to GAR 106 (2). It provides that:-

"A registered person must exercise such reasonable care and supervision as may be necessary to prevent greyhounds pursuant to that person's care or custody from being subject to unnecessary pain or suffering"

13. The particulars of the charge under GAR 106 (1) (d) are that Mr. Jolley failed to ensure that, between 26 and 29 June 2016, Buck was provided with veterinary attention when necessary. The particulars of the charge under GAR 106 (2) are that between 26 and 29 June 2016, Mr. Jolley failed to exercise such reasonable care and supervision as necessary to prevent Buck, pursuant to Mr. Jolley's care and custody from being subjected to unnecessary pain and suffering.

14. On the facts outlined above each element of both charges have been made out. Mr. Jolley should have sought after hours veterinary attention for Buck when the injury was first sustained. Failing that, Mr. Jolley should have sought veterinary attention for Buck on the following day. He also should have allowed Dr. Sheridan to treat Buck. His failure to do so was appalling conduct. Similarly, Mr. Jolley was aware from the time Buck incurred the injury that Buck was in pain and suffering. By failing to secure veterinary treatment, Mr. Jolley ensured that Buck incurred unnecessary pain and suffering. This is an egregious example of animal cruelty for which there was no excuse.

15. It is difficult to imagine a more serious case of animal cruelty being inflicted on a greyhound by a registered participant in the industry. The circumstances call for a high range penalty. Specific and general deterrence also support a high range penalty.

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Mr. Jolley's lack of history of prior offending can only afford him a small discount on financial penalty, given the outrageous nature of his conduct.

16. In all the circumstances on the charge under GAR 106 (1) (d), we fine Mr. Jolley \$3,000. On the charge under GAR 106 (2) we disqualify Mr. Jolley for life. It does not matter that he is no longer a registered participant. He does not deserve to be a registered participant in the future.

.....End.....