

14 April 2023

## **DECISION**

### **GREYHOUND RACING VICTORIA**

**and**

### **CASSENDRA JAYAKODY**

- Date of hearing:** 4 April 2023
- Panel:** Judge John Bowman (Chairperson) and Ms Amanda Dickens.
- Appearances:** Mr Anthony Pearce appeared on behalf of the Stewards.  
Ms Cassandra Jayakody represented herself.
- Charges:** Greyhounds Australasia Rule (“GAR”) 86(p) states:  
A person (including an official) shall be guilty of an offence if the person –  
Disobeys or fail to comply with the lawful order of a Steward or other person or body having official duties in relation to greyhound racing.
- GAR 86(f) states:  
A person (including an official) shall be guilty of an offence if the person –  
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 –  
(i) A Steward;  
(ii) The committee, or a member of the committee, of a club;  
(iii) The Controlling Body, or a member of the Controlling Body;  
or  
(iv) Any other person having official duties in relation to greyhound racing.

**Particulars of charges: Charge 1: GAR 86(p)**

1. You were, at all relevant times, a owner/trainer registered with Greyhound Racing Victoria (GRV) (Member No. 324620) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. Between January 2021 and May 2021, you had the care and custody of up to thirteen (13) greyhounds at your registered kennel address.
3. On 12 January 2021, you were issued with a lawful order by a Steward in the form of a written GRIU Lawful Directions Letter. This Directions Letter required you to:
  - I. You are directed to remove seven (7) greyhounds from residing at your registered kennelling address listed above by 15 January 2021.
  - II. Once that is completed you are directed to update your FastTrack records and notify the Investigative Steward listed above.
4. The Directions Letter was issued to you based on the evidence from an inspection of your registered kennel address on 12 January 2021 that eleven (11) greyhounds were residing there, ten (10) of those being active racing greyhounds and there were insufficient kennels at the property, with two (2) active racing greyhounds residing inside the house which was in violation of the Code of Practice for the Keeping of Racing Greyhounds.
5. You failed to comply with the conditions and timeframes of this Directions Letter. You failed to seek guidance or an extension in order to comply with this Direction.

**Charge 2: GAR 86(p)**

1. You were, at all relevant times, a owner/trainer registered with Greyhound Racing Victoria (GRV) (Member No. 324620)

and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. Between January 2021 and May 2021, you had the care and custody of up to thirteen (13) greyhounds at your registered kennel address.
3. On 13 April 2021, you were issued with a lawful order by a Steward in the form of a written GRIU Lawful Directions Letter. This Directions Letter required you to:
  - I. You are directed to remove nine (9) greyhounds from residing at your registered kennelling address listed above by 27 April 2021.
  - II. Once that is completed you are directed to update your FastTrack records and notify the Investigative Steward listed above.
4. The Directions Letter was issued to you based on the evidence from an inspection of your registered kennel address on 13 April 2021 that thirteen (13) greyhounds were residing there, eleven (11) of those being active racing greyhounds and there were insufficient kennels at the property, with three (3) active racing greyhounds residing in the house which was in violation of the Code of Practice for the Keeping of Racing Greyhounds.
5. You failed to comply with the conditions and timeframes of this Directions Letter Notice. You failed to seek guidance or an extension in order to comply with this Direction.

**Charge 3: GAR 86(f)**

1. You were, at all relevant times, a owner/trainer registered with Greyhound Racing Victoria (GRV) (Member No. 324620) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. On 13 May 2021, you published an online Google review of GRV which was contemptuous, unseemly, improper and

insulting towards the Controlling Body and towards an Investigative Steward.

3. The Google review was worded as follows:

- “Very irresponsible people work for this place. I have faced something very unfortunate and I’m trying to resolve it for weeks and they don’t help. They say they treat all participants the same way but which they don’t. Dont suspend big trainers license for animal cruelty but suspend me for not having enough space to walk between kennels. I have proof if people want to see. I can show evidence. My each dog got more than 3 square meters each”.
- “Daniel Cauhan integrity steward cannot be trusted as he doesn’t deliver information correctly to his managers. Due to this, causing more problems”.
- “I think victorians resumed all work since February 2021 after the restriction were lifted here in Victoria. This is the only company that still hasn’t gone back to work. Just get paid sitting at home. Only works couple of days for weeks and months. When we ring the departments to get stuff done no ones in the office”.

4. On 22 June 2021, during an Inquiry with GRV Investigative Stewards in relation to this Google review, you admitted to both writing the review and posting the review online.

**Pleas:** Guilty

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## DECISION

Ms Cassandra Jayakody, you have pleaded guilty to three charges.

The first is a breach of Greyhounds Australasia Rule (“GAR”) 86(p), being in essence failure to comply with a lawful order of the Stewards. The second is also a breach of that Rule, with an overlap in the offending, but also a failure to comply with that earlier order. The third is a breach of GAR 86(f), which would be summarised as posting insulting and offensive material concerning the Stewards and those running the industry.

The background to Charge 1 is that in early 2021, the Stewards visited your kennels, which were located at your residential address in Melton. The bottom line was that there were eight dogs in kennels in a fairly cramped area in your garage and three at large in the house. Over a period of time, effectively nothing was done to alleviate the situation and decrease the number of dogs.

Indeed, the number of dogs on the premises in fact increased to 13, without a corresponding rise in the kennelling. Problems of this nature were ongoing. Charge 2 relates to some of these problems. It should be added that there was non-compliance with lawful Directions Letters and a Compliance Notice.

Charge 3 concerns an offensive Google review concerning a Steward and the administration of the industry. For this you make what seems to be a genuine apology.

No relevant prior offences are alleged against you. You are apologetic for all that occurred. You are a person of limited experience in the industry. You are a young married woman and you work full time in catering. The dogs involved were all your own.

It is important for the industry that dogs be given proper accommodation – not some in cramped conditions and others at large in a house. It is also important that orders of the Stewards in relation to kennelling are obeyed. The image of the industry in relation to adequate kennelling for dogs is one that must be protected and the orders of the Stewards applied. Further, the work of the Stewards is difficult enough without there being unpleasant posts about them by industry participants.

The penalties we have reached are as follows: -

On Charge 1, you are suspended for a period of two months and fined \$1,000. In relation to Charge 2, we agree with Mr Pearce that there should be some accumulation of penalty, as you continued to fail to remedy and alter for the better the accommodation of the dogs. On Charge 2, you are suspended for three months, but of that period, two months are concurrent with the penalty on Charge 1. One month is cumulative upon the penalty in Charge 1. You are also fined the sum of \$1,250. On Charge 3, you are fined the sum of \$1,000, with \$250 payable immediately or by arrangement with the Stewards and \$750 suspended for a period of 12 months. If you offend again in a relevant way, that \$750 fine will be activated.

The bottom line is that you are suspended for a total of three months and fined a total of \$2,500.

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Kathleen Scully  
Assistant Registrar, Victorian Racing Tribunal