

26 March 2024

## DECISION

**GREYHOUND RACING VICTORIA**

and

**IBRAHIM KAMA**

**Date of hearing:** 4 March 2024

**Panel:** Judge John Bowman (Chairperson), Dr Andrew Gould and Mr Des Gleeson.

**Appearances:** Ms Amara Hughes, instructed by Mr Anthony Pearce, appeared on behalf of the Stewards.  
Mr Ibrahim Kama represented himself.  
Mr Lachlan Gough appeared as a witness.  
Ms Amber Knapp appeared as a witness.  
Mr Ibrahim Kama appeared as a witness.

### **Charges and particulars:**

#### **Charge No. 1 of 8**

Greyhounds Australasia Rule **156 (f) (ii)**, reads as follows:

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

*(f) has, in relation to a greyhound or greyhound racing, done something, or omitted to do something, which, in the opinion of a Controlling Body or the Stewards:*

*(ii) constitutes misconduct or is negligent or improper*

**Particulars of the Charge being:**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 308714) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. On 18 September 2023, you attended The Meadows Greyhound Racetrack for a booked Trial session.
3. You were observed throwing the greyhound “Unnamed” (VLKRO) against a metal shed wall causing a loud bang and the greyhound to yelp loudly.
4. By throwing the greyhound “Unnamed” (VLKRO) against a metal shed wall, causing a loud bang and the greyhound to yelp loudly, you have done something in relation to a greyhound or greyhound racing, which, in the opinion of the Stewards, constitutes misconduct or is improper.

**Charge No. 2 of 8**

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 relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 308714) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. On 18 September 2023, you attended The Meadows Greyhound Racetrack for a booked Trial session.
3. You were observed throwing the greyhound “Unnamed” (VLKRO) against a metal shed wall causing a loud bang and the greyhound to yelp loudly.
4. The above conduct was observed by a racetrack official and heard by other officials and a participant, and had the potential to be observed by members of the public.

5. Your conduct towards the greyhound “Unnamed” (VLKRO), which was observed and/or heard by industry officials and a participant, and potentially by members of the public, is detrimental or prejudicial to the interest, welfare, image, control or promotion of greyhound racing.

**Charge No. 3 of 8**

Greyhounds Australasia Rule **21 (2)** which reads as follows:

*21 Proper care for and welfare of greyhounds*

*(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.*

**Particulars of the Charge being:**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 308714) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. At all relevant times, you had the greyhounds, Hidden Secrets (Black Bitch NJDAY - Kennel name Grace) and Angel Above (Black and White Dog NLCNY - Kennel name Zac) in your care and custody.
3. You failed to exercise such reasonable care and supervision as was necessary to prevent the abovementioned greyhounds being subjected to unnecessary pain and suffering, or from anything which is likely to lead to unnecessary pain or suffering, in that;
  - I. You threw “Angel Above” aggressively into a holding pen and kicked at his rear with your right foot on Saturday 3 February 2024 at the Meadows slipping track.
  - II. You handled “Hidden Secrets” aggressively in the slipping track at the Meadows on the 3 February 2024 by hitting her across her snout with your right hand and hitting her twice with a muzzle across her snout.

**Charge No. 4 of 8**

Greyhounds Australasia Rule **156 (f) (ii)**, reads as follows:

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

*(f) has, in relation to a greyhound or greyhound racing, done something, or omitted to do something, which, in the opinion of a Controlling Body or the Stewards:*

*(ii) constitutes misconduct or is negligent or improper*

**Particulars of the Charge being:**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 308714) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. On 3 February 2024, you attended The Meadows Greyhound Racetrack to use the club slipping track with the greyhounds, Hidden Secrets (Black Bitch NJDAY - Kennel name Grace) and Angel Above (Black and White Dog NLCNY - Kennel name Zac).
3. You were observed on CCTV throwing "Angel Above" aggressively into a holding pen and kicked at his rear with your right foot. You were also observed handling "Hidden Secrets" aggressively in the slipping track by hitting her across her snout with your right hand and hitting her twice with a muzzle across her snout.
4. By engaging in the above conduct you have done something in relation to a greyhound or greyhound racing, which, in the opinion of the Stewards, constitutes misconduct or is improper.

**Charge No. 5 of 8**

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 relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 308714) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. On 3 February 2024, you attended The Meadows Greyhound Racetrack to use the club slipping track with the greyhounds, Hidden Secrets (Black Bitch NJDAY - Kennel name Grace) and Angel Above (Black and White Dog NLCNY - Kennel name Zac).
3. You were observed on CCTV throwing "Angel Above" aggressively into a holding pen and kicked at his rear with your right foot. You were also observed handling "Hidden Secrets" aggressively in the slipping track by hitting her across her snout with your right hand and hitting her twice with a muzzle across her snout.
4. The above conduct occurred in an area that can be viewed by other participants and members of the public.
5. Your conduct on 3 February 2024 at the Meadows slipping track, that was captured on CCTV footage and could be viewed by other participants or members of the public, is detrimental or prejudicial to the interest, welfare, image, control or promotion of greyhound racing.

**Charge No. 6 of 8**

Greyhounds Australasia Rule **21 (2)** reads as follows:

*21 Proper care for and welfare of greyhounds*

*(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.*

**Particulars of the Charge being:**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 308714) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. At all relevant times, you had the greyhound, a black bitch called Hidden Secrets (Kennel name Grace) (NJDAY) in your care and custody.

3. You failed to exercise such reasonable care and supervision as was necessary to prevent the abovementioned greyhound being subjected to unnecessary pain and suffering, or from anything which is likely to lead to unnecessary pain or suffering, in that;
  - I. On Tuesday 6 February 2024, you attended the Geelong Greyhound Racetrack with greyhound HIDDEN SECRET with the intention of entering her in a satisfactory trial.
  - II. Prior to the trail taking place, greyhound Hidden Secrets underwent a veterinary examination by GRV veterinarian Dr Sarah Doornbusch who determined that the greyhound had muscle injuries in the rear limbs and muscle soreness. You were informed that the greyhound was stood down and could not participate until it was reassessed in 28 days.
  - III. At around 7pm you were captured on CCTV footage attending the catching pen and retrieving greyhound Hidden Secrets. A short time later you approached Raceday Steward James Jeffery and informed him that you had just trialled the greyhound in a club trial.
  - IV. You failed to follow qualified medical advice that your greyhound was sore and injured and have run it in a club trail.

**Charge No. 7 of 8**

Greyhounds Australasia Rule **156 (f) (ii)**, reads as follows:

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

*(f) has, in relation to a greyhound or greyhound racing, done something, or omitted to do something, which, in the opinion of a Controlling Body or the Stewards:*

*(ii) constitutes misconduct or is negligent or improper*

**Particulars of the Charge being:**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 308714) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. On Tuesday 6 February 2024, you attended the Geelong Greyhound Racetrack with Grace a black female greyhound with the registered name Hidden Secrets (NJDAY) with the intention of entering her in a satisfactory trial.
  - I. Prior to the trail taking place, greyhound Hidden Secrets underwent a veterinary examination by GRV veterinarian Dr Sarah Doornbusch who determined that the greyhound had muscle injuries in the rear limbs and muscle soreness. You were informed that the greyhound was stood down and could not participate until it was reassessed in 28 days.
  - II. At around 7pm you were captured on CCTV footage attending the catching pen and retrieving greyhound Hidden Secrets. A short time later you approached Raceday Steward James Jeffery and informed him that you had just trialed the greyhound in a club trial.
  - III. You failed to follow qualified medical advice that your greyhound was sore and injured and have run it in a club trail.
3. By engaging in the above conduct you have done something in relation to a greyhound or greyhound racing, which, in the opinion of the Stewards, constitutes misconduct or is improper.

**Charge No. 8 of 8**

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 relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 308714) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. On Tuesday 6 February 2024, you attended the Geelong Greyhound Racetrack with Grace a black female greyhound with the registered name Hidden Secrets (NJDAY) with the intention of entering her in a satisfactory trial.

- I. Prior to the trial taking place, greyhound Hidden Secrets underwent a veterinary examination by GRV vet Dr Sarah Doornbusch who determined that the greyhound had muscle injuries in the rear limbs and muscle soreness. You were informed that the greyhound was stood down and could not participate until it was reassessed in 28 days.
  - II. At around 7pm you were captured on CCTV footage attending the catching pen and retrieving greyhound Hidden Secrets. A short time later you approached Raceday Steward James Jeffery and informed him that you had just trialled the greyhound in a club trial.
  - III. You failed to follow qualified medical advice that your greyhound was sore and injured and have run it in a club trail.
3. The trial in which Hidden Secrets was engaged, whilst injured, could be viewed by other participants or members of the public.
  4. By trialling an injured greyhound at a place that can be viewed by other participants or members of the public, you have engaged in conduct which is detrimental or prejudicial to the interest, welfare, image, control or promotion of greyhound racing.

**Pleas:** Not Guilty to Charges 1 to 7  
Guilty to Charge 8

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## **DECISION**

Mr Ibrahim Kama, you have been charged with eight breaches of Greyhounds Australasia Rules. You have pleaded “Not Guilty” to Charges 1 to 7 and “Guilty” to Charge 8.

We have heard and take into account your oral evidence, and the oral evidence of the Stewards’ witnesses, namely Mr Lachlan Gough, Meadows Club Staff Member and Ms Amber Knapp, Investigative Steward. We have also watched some video material and our attention has been drawn to a number of documents in the Stewards’ Brief of Evidence.

There is considerable duplication involved in the Charges. Charges 1 and 2 essentially involve an incident at the Meadows on 18 September 2023. Charge 3, 4 and 5 involve behaviour at the Meadows on 3 February 2024. Charges 6, 7 and 8 concern behaviour at the Geelong greyhound track on 6 February 2024. It is a case which may have been unnecessarily complicated by the pattern or manner in which the Charges were laid.



We turn now to the Charges. Charges 1 and 2 concern your behaviour in relation to a trial at the Meadows. The dog concerned was unnamed. After the trial, there was a problem in catching the dog, which had effectively returned beyond where it had started. With the assistance of Mr Gough, you were attempting to catch and control the dog in the vicinity of the boxes. The two of you effectively rounded up the dog in the immediate vicinity of the boxes. What happened next is in dispute.

We accept the evidence of Mr Gough, who was an impressive witness. We accept that you ultimately caught the dog, picked it up, went in behind the boxes with the dog, and threw it into the wall, a distance of two or three metres behind the boxes. This was with sufficient force to make a loud metallic bang and, as stated by Mr Gough, the dog yelped loudly. Mr Gough also gave evidence that you swore at the dog prior to throwing it into the wall.

We accept this sequence of events as described by Mr Gough. We find that Charges 1 and 2 are proven to our comfortable satisfaction.

We turn now to Charges 3, 4 and 5, which in turn embrace two incidents which occurred on 3 February 2024. Perhaps confusingly, each charge involves two dogs. The black dog's name was Hidden Secrets. The black and white dog was Angel Above.

The video footage is important to these two charges. We find that, in each instance, the Charges involving Hidden Secrets have not been made out.

The video footage does not disclose that any unnecessary pain or suffering or the likely occurrence of same. It does not disclose misconduct or negligent or improper conduct. It is far from entirely clear from the videos as to whether any contact that would satisfy the requirement of those Rules was made.

The same cannot be said in respect of your behaviour towards Angel Above. We are quite satisfied that you put the dog into a holding pen at the slipping track in a rough and hasty way. We are comfortably satisfied that you then kicked at the dog when it was in the pen. We think it inevitable that some contact was made in that confined space. This was a large kicking action prior to the pen being closed.

In short, we find that Charges 3, 4 and 5 have been made out, but only in respect of Angel Above.

We are also comfortably satisfied that Charges 6 and 7 have been made out. These Charges, as does Charge 8, to which you have pleaded guilty concern, your behaviour at the Geelong track on 6 February 2024, on which day trials were being conducted.

We accept that, despite being told by a GRV Veterinarian Surgeon that Hidden Secrets could not compete in a trial because of muscle injuries and soreness, you in fact placed Hidden Secrets in a trial. You failed to follow the medical advice given and trialled the dog.

Thus, there clearly seems to have been a breach of the Rules and Charges 6 and 7 have been proved to our comfortable satisfaction.

As stated, you have pleaded guilty to Charge 8 in relation to the same set of facts by reason of trialling an injured greyhound.

In summary, we find that all Charges have been proven to our comfortable satisfaction, save for one set of circumstances described in Charges 3, 4 and 5.

We repeat that there is a considerable amount of duplication.

#### **PENALTY**

Mr Ibrahim Kama, you have been found guilty of seven offences and pleaded guilty to an eighth offence. We would refer to our decision in relation to guilt.

You are a 32 year old single man, with some members of your family dependent upon your income. Your sole source of income is from your training of greyhounds. You have a father and brother with health and welfare concerns. You have been a licensed public trainer since 2020, and involved in the industry since 2014.

You have an excellent record, with no offence of any magnitude alleged.

The offences of which we have found you guilty are, in relation to Charges 1 to 5, serious matters. Charges 6 to 8 are of lesser magnitude.

Charges 1 to 5 involve the very important matter of animal welfare. That is something of vital significance to the well-being and future of the industry. We accept that no injury of any significance was suffered by the dogs involved in the present case. That does not excuse your behaviour, but is a factor we take into account.

We take into account the submissions of the Stewards and the decision of Her Honour Judge Harbison in *Huntington v Greyhound Racing Appeals and Disciplinary Board*. There are some similarities with the present case. We note that the penalties imposed by Her Honour were a fine of \$750 and disqualification for 18 months, with 15 months suspended for 3 years.

The penalties we impose in the present case are as follows, and, as did the Stewards, we shall deal with the Charges in groups:

On Charges 1 and 2: On each Charge a penalty of 18 months disqualification to be served concurrently, with six months of such 18 month disqualification suspended for a period of 24 months.

On Charges 3, 4 and 5: Disqualification for 12 months on each Charge, each such disqualification being concurrent with the penalties in Charges 1 and 2.

On Charges 6, 7 and 8: A fine of \$250 on each Charge, a total of \$750, of which \$500 is suspended for 24 months.

The bottom line is a penalty of 12 months disqualification and a fine of \$250, with further penalties, as set out above, suspended for a period of 24 months.

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Mark Howard  
Registrar, Victorian Racing Tribunal