

15 July 2024

## **DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**BIANCA REED**

**and**

**KENNETH BUXTON**

- Date of hearing:** 8 July 2024
- Date of decision:** 15 July 2024
- Panel:** Judge John Bowman (Chairperson), Dr Andrew Gould and Ms Judy Bourke.
- Appearances:** Ms Amara Hughes, instructed by Mr Anthony Pearce, appeared on behalf of the Stewards.  
Ms Bianca Reed did not attend the hearing.  
Mr Kenneth Buxton did not attend the hearing.
- Charges:** Greyhounds Australasia Rule ("GAR") 21(1)(c) states:  
(1) A person must ensure that any greyhound in the person's care or custody, is at all times provided with:  
(c) kennels constructed and of a standard approved by a Controlling Body which are adequate in size and which are kept in a clean and sanitary condition.
- 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.  
(b) for a minimum of two years.

GAR 21(1)(a) states:

- (1) A person must ensure that any greyhound in the person's care or custody, is at all times provided with:
- (a) proper and sufficient food, drink and protective apparel.

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 21(2) 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 151(a) 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.

GAR 165(a) states:

- 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.

GAR 156(f)(ii) states:

- 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.

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 164(b) states:

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

(b) refuses or fails to attend or to give evidence at an inquiry (or at any other disciplinary process, hearing or appeal proceeding) or produce a document or other thing in relation to an investigation, examination, test or inquiry (or other disciplinary process, hearing or appeal proceeding) pursuant to the Rules when directed by a Controlling Body, the Stewards, or another authorised person.

**Particulars:**

**Bianca Reed**

**Charge 1: GAR 21(1)(c)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. On 9 November 2022 and 21 January 2023, GRIU Investigative Stewards attended the premises and identified a failure to provide the greyhounds in your care and custody with kennels constructed and of a standard approved by Greyhound Racing Victoria which are adequate in size and kept in a clean and sanitary condition, in that the kennels were not compliant with the 'Code of Practice for the Keeping of Racing Greyhounds 2018', in particular:

- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.

- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yards had considerable amounts of faeces.
- Yard bedding - Greyhounds were sighted laying directing on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Greyhounds were housed in outdoor yards which were insignificant in size.

**Charge 2: GAR 21(3)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. On 9 November 2022 and 21 January 2023, GRIU Investigative Stewards attended the premises and established that you caused or permitted conditions at this premises likely to be dangerous to the health, welfare or safety of that greyhound, in that:

- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.

- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.
- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Greyhounds were housed in outdoor yards which were insignificant in size.

**Charge 3: GAR 21(1)(a)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. Between 24 January 2023 and 21 February 2023, GRIU Investigative Stewards attended the premises and conducted inspections at your premises where it was found that the greyhounds in your care or custody were not provided with proper and sufficient drink.

**Charge 4: GAR 21(1)(c)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. On 5, 7 and 9 February 2023, GRIU Investigative Stewards attended the premises and identified a failure to provide the greyhounds in your care and custody with kennels constructed and of a standard approved by Greyhound Racing Victoria which are adequate in size and kept in a clean and sanitary condition, in that the kennels were not compliant with the 'Code of Practice for the Keeping of Racing Greyhounds 2018', in particular;

- Greyhounds were sighted being permanently housed in trailers.
- The trailer housing the greyhounds flooring was covered in 6 inches of faeces.
- Greyhounds were covered in their own faeces and did not have access to clean fresh water.

- It was apparent greyhounds had recently been housed in the trailer and were not being let out for toileting and or sufficient exercise and enrichment.
- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yards had considerable amounts of faeces.
- Yard bedding - Greyhounds were sighted laying directing on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Greyhounds were housed in outdoor yards which were insignificant in size.

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

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. At all relevant times, you had the greyhounds, “Mary Mary” (NGCPA), “Federal Elite” (NFDWB), “Spring Ace” (VDMUS) and “Twiggy Stick” (TIAGJ) in your care and custody.

3. A Stewards inspection of your registered premises on 9 February 2023 found that the abovementioned greyhounds, following examination by a veterinarian, were experiencing veterinary and husbandry issues that required veterinary attention, which included:

- Emaciated and thin, body condition scores of 1.5 and 2.
- Healing decubital ulcers
- Poor coat condition that was dull, lacking shine, coarse.
- Severely overgrown nails.
- Malnourishment.
- Depressed, with slow responses to the presence of people, and slow physical movements.

4. You failed to ensure that the abovementioned greyhounds, which were in your care and custody, were provided with veterinary attention when necessary.

**Charge 6: GAR 21(2)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. At all relevant times, you had the greyhounds, “Mary Mary” (NGCPA), “Federal Elite” (NFDWB), “Spring Ace” (VDMUS) and “Twiggy Stick” (TIAGJ) 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, in that:

(a) A Stewards inspection on 9 February 2023 of your registered premises found that the abovementioned greyhounds, following examination by a veterinarian, were experiencing veterinary and husbandry issues, which included:

- Emaciated and thin, body condition scores of 1.5 and 2.
- Healing decubital ulcers.
- Poor coat condition that was dull, lacking shine, coarse.
- Severely overgrown nails.
- Malnourishment.
- Depressed, with slow responses to the presence of people, and slow physical movements.

(b) Stewards' inspections between 9 November 2022 and 9 February 2023 of your registered premises found that the abovementioned greyhounds were subject to conditions that did not comply with the 'Code of Practice for the Keeping of Racing Greyhounds 2018', which included:

- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.

- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.
- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Greyhounds were housed in outdoor yards which were insignificant in size.

**Charge 7: GAR 21(2)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields (Premises).

2. At all relevant times, you had the greyhound “Fernando Bubbles” (NIDWS) in your care and custody.

3. You failed to exercise such reasonable care and supervision as was necessary to prevent Fernando Bubbles being subjected to unnecessary pain and suffering, in that:

(a) A Stewards inspection on 5 February 2023 of your registered premises found that Fernando Bubbles, following examination by a veterinarian and a post-mortem examination, was experiencing veterinary and husbandry issues, which included:

- Suffering from malnutrition (starvation).
- Emaciated and thin, body condition score of (1/9).
- Significant intestinal worms.
- Visible wounds – decubital ulcers.
- Right hip ulcer that extended to the bone.
- Housed in a chicken coop, providing inappropriate bedding.
- No water available in chicken coop.
- Build-up of faeces in the bedding area.

(b) Due to the condition of Fernando Bubbles was euthanised by the veterinarian shortly after the examination.

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

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. At all relevant times, you had the greyhound “Fernando Bubbles” (NIDWS) in your care and custody.

3. A Stewards inspection of your registered premises on 5 February 2023 found that Fernando Bubbles, following examination by a veterinarian, was experiencing veterinary and husbandry issues that required veterinary attention, which included;

- Suffering from malnutrition (starvation).
- Emaciated and thin, body condition score of (1/9).
- Significant intestinal worms.
- Visible wounds – decubital ulcers.
- Right hip ulcer that extended to the bone.
- Housed in a chicken coop, providing inappropriate bedding.
- No water available in chicken coop.
- Build-up of faeces in the bedding area.

4. Due to the condition of Fernando Bubbles was euthanised by the veterinarian shortly after the examination.

5. You failed to ensure that the abovementioned greyhounds, which were in your care and custody, were provided with veterinary attention when necessary.

**Charge 9: GAR 21(3)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. On 5, 7 and 9 February 2023, GRIU Investigative Stewards attended the premises and established that you caused or permitted conditions at this premises likely to be dangerous to the health, welfare or safety of that greyhound, in that:

- Greyhounds were sighted being permanently housed in trailers.
- The trailer housing the greyhounds flooring was covered in 6 inches of faeces.
- Greyhounds were covered in their own faeces and did not have access to clean fresh water.
- It was apparent greyhounds had recently been housed in the trailer and were not being let out for toileting and or sufficient exercise and enrichment.
- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.

- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.
- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Greyhounds were housed in outdoor yards which were insignificant in size.

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

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. Between 9 November 2022 and 5 February 2023, kennel inspections conducted on your registered premises established that you caused or permitted conditions at this premises likely to be dangerous to the health, welfare or safety of "Rock Lily", in that:

- Greyhounds were sighted being permanently housed in trailers.
- The trailer housing the greyhounds flooring was covered in 6 inches of faeces.
- Greyhounds were covered in their own faeces and did not have access to clean fresh water.
- It was apparent greyhounds had recently been housed in the trailer and were not being let out for toileting and or sufficient exercise and enrichment.
- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.

- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.
- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Greyhounds were housed in outdoor yards which were insignificant in size.



(b) Sometime in late January 2023, Rock Lily was removed from the premises due to its owner becoming concerned for its welfare.

(c) Rock Lily (NEBNS) passed away two (2) days after leaving the property.

**Charge 11: GAR 151(a)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. Between 9 November 2022 and 21 February 2023, GRIU Investigative Stewards attended the premises and conducted inspections on your registered premises established you had failed to keep and retain written records detailing treatments to greyhound in your care.

3. You failed to establish and maintain treatment records for greyhound entering your care.

**Charge 12: GAR 165(a)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. You have engaged in conduct which is detrimental or prejudicial to the interest, welfare, image, control or promotion of greyhound racing, in that:

(a) On 5 February 2023, Greyhound “Fernando Bubbles” was found on your property in non-compliant living conditions, with his physical condition being such that he had to be immediately euthanised.

(b) You failed to be aware that Fernando Bubbles was on your property and experiencing such conditions.

(c) Other GRV registered persons and the RSPCA became aware that the greyhound had been euthanised due to its living conditions.

**Charge 13: GAR 156(f)(ii)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. On 5 February 2023, Greyhound “Fernando Bubbles” (NIDWS) was found on your property, in non-compliant living conditions, his physical condition was such that he had to be immediately euthanised.

3. It is negligent and/or improper that you, as a person in charge of Fernando Bubbles, to fail to advise other persons responsible for the greyhound of its presence at the property.

**Kenneth Buxton**

**Brief 1**

**Charge 1: GAR 21(1)(c)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

3. On 9 November 2022 and 21 January 2023, GRIU Investigative Stewards attended the premises and identified a failure to provide the greyhounds in your care and custody with kennels constructed and of a standard approved by Greyhound Racing Victoria which are adequate in size and kept in a clean and sanitary condition, in that the kennels were not compliant with the 'Code of Practice for the Keeping of Racing Greyhounds 2018', in particular:

- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yards had considerable amounts of faeces.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Greyhounds were housed in outdoor yards which were insignificant in size.

**Charge 2: GAR 21(3)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

3. On 9 November 2022 and 21 January 2023, GRIU Investigative Stewards attended the premises and established that you caused or permitted conditions at this premises likely to be dangerous to the health, welfare or safety of that greyhound, in that:

- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.

- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.
- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Greyhounds were housed in outdoor yards which were insignificant in size.

**Charge 3: GAR 21(1)(a)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV

registered kennelling premises in Grangefields, Victoria (Premises).

3. Between 24 January 2023 and 21 February 2023, GRIU Investigative Stewards attended the premises and conducted inspections at your premises where it was found that the greyhounds in your care or custody were not provided with proper and sufficient drink.

**Charge 4: GAR 21(1)(c)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

3. On 5, 7 and 9 February 2023, GRIU Investigative Stewards attended the premises and identified a failure to provide the greyhounds in your care and custody with kennels constructed and of a standard approved by Greyhound Racing Victoria which are adequate in size and kept in a clean and sanitary condition, in that the kennels were not compliant with the 'Code of Practice for the Keeping of Racing Greyhounds 2018', in particular:

- Greyhounds were sighted being permanently housed in trailers.
- The trailer housing the greyhounds flooring was covered in 6 inches of faeces.
- Greyhounds were covered in their own faeces and did not have access to clean fresh water.

- It was apparent greyhounds had recently been housed in the trailer and were not being let out for toileting and or sufficient exercise and enrichment.
- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yards had considerable amounts of faeces.
- Yard bedding - Greyhounds were sighted laying directing on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Greyhounds were housed in outdoor yards which were insignificant in size.

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

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you had the greyhounds, “Mary Mary” (NGCPA), “Federal Elite” (NFDWB), “Spring Ace” (VDMUS) and “Twiggy Stick” (TIAGJ) in your care and custody.

3. A Stewards inspection of your registered premises on 9 February 2023 found that the abovementioned greyhounds, following examination by a veterinarian, were experiencing veterinary and husbandry issues that required veterinary attention, which included:

- Emaciated and thin, body condition scores of 1.5 and 2.
- Healing decubital ulcers.
- Poor coat condition that was dull, lacking shine, coarse.
- Severely overgrown nails.
- Malnourishment.
- Depressed, with slow responses to the presence of people, and slow physical movements.

4. You failed to ensure that the abovementioned greyhounds, which were in your care and custody, were provided with veterinary attention when necessary.

**Charge 6: GAR 21(2)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you had the greyhounds, “Mary Mary” (NGCPA), “Federal Elite” (NFDWB), “Spring Ace” (VDMUS) and “Twiggy Stick” (TIAGJ) 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, in that:

(a) A Stewards inspection on 9 February 2023 of your registered premises found that the abovementioned greyhounds, following examination by a veterinarian, were experiencing veterinary and husbandry issues, which included:

- Emaciated and thin, body condition scores of 1.5 and 2.
- Healing decubital ulcers.
- Poor coat condition that was dull, lacking shine, coarse.
- Severely overgrown nails.
- Malnourishment.
- Depressed, with slow responses to the presence of people, and slow physical movements.

(b) Stewards' inspections between 9 November 2022 and 9 February 2023 of your registered premises found that the abovementioned greyhounds were subject to conditions that did not comply with the 'Code of Practice for the Keeping of Racing Greyhounds 2018', which included:

- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.

- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.
- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Greyhounds were housed in outdoor yards which were insignificant in size.

**Charge 7: GAR 21(2)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you had the greyhound “Fernando Bubbles” (NIDWS) in your care and custody.

3. You failed to exercise such reasonable care and supervision as was necessary to prevent Fernando Bubbles being subjected to unnecessary pain and suffering, in that:

(a) A Stewards inspection on 5 February 2023 of your registered premises found that FERNANDO BUBBLES, following examination by a veterinarian and a post-mortem examination, was experiencing veterinary and husbandry issues, which included:

- Suffering from malnutrition (starvation).
- Emaciated and thin, body condition score of (1/9).
- Significant intestinal worms.
- Visible wounds – decubital ulcers.
- Right hip ulcer that extended to the bone.
- Housed in a chicken coop, providing inappropriate bedding.
- No water available in chicken coop.
- Build-up of faeces in the bedding area.

(b) Due to the condition of Fernando Bubbles was euthanised by the veterinarian shortly after the examination.

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

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you had the greyhound “Fernando Bubbles” (NIDWS) in your care and custody.

3. A Stewards inspection of your registered premises on 5 February 2023 found that Fernando Bubbles, following examination by a veterinarian, was experiencing veterinary and husbandry issues that required veterinary attention, which included:

- Suffering from malnutrition (starvation).
- Emaciated and thin, body condition score of (1/9).
- Significant intestinal worms.
- Visible wounds – decubital ulcers.
- Right hip ulcer that extended to the bone.
- Housed in a chicken coop, providing inappropriate bedding.
- No water available in chicken coop.
- Build-up of faeces in the bedding area.

4. Due to the condition of Fernando Bubbles was euthanised by the veterinarian shortly after the examination.

5. You failed to ensure that the abovementioned greyhounds, which were in your care and custody, were provided with veterinary attention when necessary.

**Charge 9: GAR 21(3)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

3. On 5, 7 and 9 February 2023, GRIU Investigative Stewards attended the premises and established that you caused or permitted conditions at this premises likely to be dangerous to the health, welfare or safety of that greyhound, in that:

- Greyhounds were sighted being permanently housed in trailers.
- The trailer housing the greyhounds flooring was covered in 6 inches of faeces.
- Greyhounds were covered in their own faeces and did not have access to clean fresh water.
- It was apparent greyhounds had recently been housed in the trailer and were not being let out for toileting and or sufficient exercise and enrichment.
- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.

- The odour of urine and ammonia was overpowering.
- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.
- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.

- Greyhounds were housed in outdoor yards which were insignificant in size.

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

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises, namely in Grangefields, Victoria (Premises), including “Rock Lily” (NEBNS).

3. Between 9 November 2022 and 5 February 2023, kennel inspections conducted on your registered premises established that you caused or permitted conditions at this premises likely to be dangerous to the health, welfare or safety of Rock Lily, in that:

- Greyhounds were sighted being permanently housed in trailers.
- The trailer housing the greyhounds flooring was covered in 6 inches of faeces.
- Greyhounds were covered in their own faeces and did not have access to clean fresh water.
- It was apparent greyhounds had recently been housed in the trailer and were not being let out for toileting and or sufficient exercise and enrichment.
- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.

- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.
- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.



- Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Greyhounds were housed in outdoor yards which were insignificant in size.

(b) Sometime in late January 2023 Rock Lily was removed from the premises due to its owner becoming concerned for its welfare

(c) Rock Lily (NEBNS) passed away two (2) days after leaving the property.

**Charge 11: GAR 151(a)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).
3. Between 9 November 2022 and 21 February 2023, GRIU Investigative Stewards attended the premises and conducted inspections on your registered premises and established that you had failed to keep and retain written records detailing treatments to greyhound in your care.
4. You failed to establish and maintain treatment records for greyhound entering your care.

**Charge 12: GAR 165(a)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a

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

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises), including “Fernando Bubbles” (NIDWS).

3. You have engaged in conduct which is detrimental or prejudicial to the interest, welfare, image, control or promotion of greyhound racing, in that:

(a) On 5 February 2023, Greyhound Fernando Bubbles was found on your property in non-compliant living conditions, with his physical condition being such that he had to be immediately euthanised.

(b) You failed to be aware that Fernando Bubbles was on your property and experiencing such conditions

(c) Other GRV registered persons and the RSPCA became aware that the greyhound had been euthanised due to its living conditions.

**Charge 13: GAR 156(f)(ii)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

3. On 5 February 2023, Greyhound “Fernando Bubbles” (NIDWS) was found on your property, in non-compliant living conditions,

his physical condition was such that he had to be immediately euthanised.

4. It is negligent and/or improper that you, as the person in charge of the property, failed to know Fernando Bubbles was on your property and was in such a poor condition.

**Charge 14: GAR 156(h)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

3. On 9 November 2022, you were issued with a Lawful Order by a Steward by way of Directions Notice which directed you, to ensure by 2nd of December 2022, your kennels located in Grangefields, Victoria complied with the 'Code of Practice for the Keeping of Racing Greyhounds April 2018', in particular, all aspects of:

- Section 6.7.1, The greyhound establishment must be clean and hygienic at all times.
- Section 6.7.2, Minimum housing requirements.
- Section 6.7.6, Construction of housing pens and yards.
- Section 6.7.7, Construction of indoor kennel facilities.

4. On 24 January 2023, you failed to ensure your kennels complied with the Code of Practice as directed. Items not complied with included:

- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.
- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.

- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
  - Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
  - Greyhounds were housed in outdoor yards which were insignificant in size.
5. You failed to comply with the Lawful Order of a Steward in relation to greyhound racing.

**Charge 15: GAR 156(h)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).
3. On 24 January 2023, you were issued with a further Lawful Order by a Steward by way of Directions Notice which directed you, to ensure by 24th of February 2023, your kennels located in Grangefields, Victoria, complied with the 'Code of Practice for the Keeping of Racing Greyhounds April 2018', in particular, all aspects of:
  - Section 6.1.2, Greyhounds must have access to a sufficient supply of fresh clean water at all times at the establishment.
  - Section 6.7.1, The greyhound establishment must be clean and hygienic at all times.
  - Section 6.7.2, Minimum housing requirements.

- Section 6.7.6, Construction of housing pens and yards.
- Section 6.7.7, Construction of indoor kennel facilities.

4. On 5 February 2023, following an emergency call out to your property, you were issued with a further Lawful Order by a Steward by way of Directions Notice which directed you, to ensure, your kennels located in Grangefields, Victoria, immediately complied with the 'Code of Practice for the Keeping of Racing Greyhounds April 2018', in particular, all aspects of:

- Section 6.1.2, Greyhounds must have access to a sufficient supply of fresh clean water at all times at the establishment.
- Section 6.7.1, The greyhound establishment must be clean and hygienic at all times.
- Section 6.7.6, Construction of housing pens and yards.
- You were required to provide all medical records for greyhound "Fernando Bubbles" (NIDWS) for the period 1 January 2023 to 5 February 2023, who was located at your property, by 9 February 2023.

5. On 9 February 2023, you failed to ensure your kennels complied with the Code of Practice as directed and listed within item 4 of this notice. Additionally, you failed to provide any record relating to greyhound Fernando Bubbles (NIDWS).

6. You failed to comply with the Lawful Order of a Steward in relation to greyhound racing.

## **Brief 2**

### **Charge 1: GAR 21(1)(a)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a

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

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Junortoun, Victoria (Premises).

3. On 19 October 2023, GRIU Investigative Stewards attended the premises and conducted inspections at your premises where it was found that the greyhounds in your care or custody were not provided with proper and sufficient drink.

**Charge 2: GAR 21(1)(c)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Junortoun, Victoria (Premises).

3. On 19 October 2023, GRIU Investigative Stewards attended the premises and identified a failure to provide the greyhounds in your care and custody with kennels constructed and of a standard approved by Greyhound Racing Victoria which meet minimum standards and kept in a clean and sanitary condition, in that the kennels were not compliant with the 'Code of Practice for the Keeping of Racing Greyhounds 2018', in particular:

- The floor did not have drainage, allowing for liquids to pool and did not permit adequate drainage of fluids. The flooring was merely dirt covered with straw, and it was not impervious to liquids.

- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- Bedding - Greyhounds were sighted laying in broken beds directly on the dirt/straw floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- There was no secondary boundary to prevent the escape of greyhounds.
- The general area of the kennels was unclean with a build-up of dirt, grime and detritus surrounding the area.

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

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Junortoun, Victoria (Premises).
3. On 19 October 2023, GRIU Investigative Stewards attended the premises and identified a failure to provide the greyhounds in your care and custody with kennels constructed and of a standard approved by Greyhound Racing Victoria which meet minimum standards and kept in a clean and sanitary condition, in that the kennels were not compliant with the 'Code of Practice for the Keeping of Racing Greyhounds 2018', in particular:



- The floor did not have drainage, allowing for liquids to pool and did not permit adequate drainage of fluids. The flooring was merely dirt covered with straw, and it was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- Bedding - Greyhounds were sighted laying in broken beds directly on the dirt/straw floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- There was no secondary boundary to prevent the escape of greyhounds.
- The general area of the kennels was unclean with a build-up of dirt, grime and detritus surrounding the area.
- Greyhounds were not provided with significant clean fresh water.

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

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. At all relevant times, you had approximately 18 greyhounds in your care and custody, including the greyhound "Kalashnikov" (VKRVM).
3. You failed to exercise such reasonable care and supervision as was necessary to prevent the abovementioned greyhounds being subjected to unnecessary suffering, or from anything which is likely to lead to unnecessary suffering, in that:

(a) A Stewards inspection on 19 October 2023 of your registered premises found that Kalashnikov, following examination by a veterinarian, was experiencing veterinary and husbandry issues, which included:

- Underweight and thin, body condition scores of 2/5.
- Being in a physical state of malnourishment.

(b) Stewards' inspections on 19 October 2023 of your registered premises found that the abovementioned greyhounds were subject to conditions that did not comply with the 'Code of Practice for the Keeping of Racing Greyhounds 2018', which included:

- The floor did not have drainage, allowing for liquids to pool and did not permit adequate drainage of fluids. The flooring was merely dirt covered with straw, and it was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- Bedding - Greyhounds were sighted laying in broken beds directly on the dirt/straw floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- There was no secondary boundary to prevent the escape of greyhounds.
- The general area of the kennels was unclean with a build-up of dirt, grime and detritus surrounding the area.
- Greyhounds were not provided with significant clean fresh water.



**BIANCA REED**

We refer to our earlier findings and the factual bases of the Charges.

There are 13 Charges against Ms Reed, of which 12 were found to be proven.

Ms Reed is not a registered participant with Greyhound Racing Victoria (“GRV”). Accordingly, any penalties in the nature of suspension or disqualification are not relevant. The penalties sought by the Stewards are based on warning off.

Charge 1 is pursuant to Greyhounds Australasia Rule (“GAR”) 21(1)(c) and Charge 2 is pursuant to GAR 21(3). These Charges essentially relate to the condition of the kennelling facilities at Grangefields at the time of Stewards’ inspections on 9 November 2022 and 21 January 2023. These kennels were in a most ill-kept and unsatisfactory condition. On Charge 2, the penalty is warning off for six months, to be served cumulatively on the penalty imposed in Charge 7. On Charge 1, the penalty is warning off for three months, to be served concurrently with the penalty imposed in Charge 2.

Charge 3 is pursuant to GAR 21(1)(a) and concerns the failure to provide proper and sufficient drink. For this Charge, the penalty is a fine of \$1,000.

Charge 4 is pursuant to GAR 21(1)(c) and involves the failure to provide clean and sanitary kennels at a later kennel inspection, namely on 5, 7 and 9 February 2023. On this Charge, Ms Reed is warned off for a period of six months, to be served concurrently with the penalty imposed in Charge 9.

Charge 5 is pursuant to GAR 21(1)(d) and concerns four named greyhounds found, on 9 February 2023, to be malnourished, suffering from ulcers and requiring veterinary attention. On Charge 5, we impose a penalty of a warning off for six months, to be served concurrently with the penalty imposed in Charge 6.

Charge 6 is pursuant to GAR 21(2). This Charge is very similar to Charge 5. However, it relates to the pain and suffering of the four greyhounds. No reasonable care and supervision was exercised and, as a result, the greyhounds were subjected to unnecessary pain and suffering. On this Charge, we impose a penalty of warning off for four years, with two years to be served concurrently and two years to be served cumulatively upon, the penalty imposed in Charge 7.

Charge 7 is pursuant to GAR 21(2) and involves the greyhound, “Fernando Bubbles”, not one of the four greyhounds referred to in Charges 5 and 6. At the time of the inspection on 5 February 2023, this greyhound was in unsatisfactory kennelling. The dog was in extremely poor and deplorable condition, so much so that it had to be euthanised shortly after a

veterinary examination was conducted at the property. The greyhound had recorded a weight of 30.1 kilograms (“kgs”) at its last racing engagement on 30 September 2022. The post-mortem examination of the greyhound indicated its body mass was 17 kgs. Dr Madonna Buiter, Industry Veterinarian, stated in her report of 31 March 2023 as follows:

*“It would have taken a significant amount of time, at least several weeks or longer, for the starvation to cause this degree of weight loss. The emaciation was so severe there was no subcutaneous or body cavity fat visible and on microscopic examination there was a lack of fat in the bone marrow”.*

As previously mentioned, the condition of this greyhound was deplorable. Allowing a greyhound to reach such a state is entirely unacceptable. In our opinion, a penalty of a period of warning off for eight years is appropriate on this Charge.

Charge 8 is pursuant to GAR 21(1)(d). It also concerns Fernando Bubbles and the same inspection and facts. However, it relates to the greyhound requiring veterinary assistance and the failure to provide veterinary attention to the greyhound when necessary. The penalty for this Charge is warning off for two years, to be served concurrently with the penalty imposed in Charge 7.

Charge 9 is pursuant to GAR 21(3) and relates to the condition of the kennelling at the time of the Stewards inspection on 5, 7 and 9 February 2023. Thus, there is some considerable duplication with Charge 4. The penalty for this Charge is warning off for 12 months, to be served cumulatively with the penalty imposed in Charge 7.

Charge 10 was dismissed.

Charge 11 is pursuant to GAR 151(a) and concerns a failure to keep proper records. On this Charge, a penalty of a fine of \$500 is imposed.

Charge 12 is pursuant to GAR 165(a) and concerns Fernando Bubbles. There is some duplication with Charge 8. Again, the penalty imposed is warning off for two years, with one year to be served concurrently and one year to be served cumulatively upon the penalty imposed in Charge 7.

Charge 13 is pursuant to GAR 156(f)(ii). It also relates to Fernando Bubbles and the failure to advise responsible persons as to its condition. The penalty imposed is a warning off for 12 months, to be served concurrently with the penalty imposed in Charge 7.

Thus, the total effective period of warning off for these offences, some of which warrant strong condemnation and have the potential to do great damage to the industry, is 12 years

and six months, to commence immediately. Additionally, there are fines payable totalling \$1,500.

**KENNETH BUXTON**

**BRIEF 1**

Charges 1 – 13 against Mr Buxton are identical to Charges 1 – 13 against Ms Reed. Therefore, the penalties which we impose on Mr Buxton are almost identical to those of Ms Reed.

Mr Buxton is a registered participant with GRV. Accordingly, any penalties in the nature of suspension or disqualification are relevant. The penalties sought by the Stewards are periods of disqualification.

The reasons for the penalties imposed in relation to each Charge have been stated above. We outline the penalties imposed on Mr Buxton in relation to Charges 1 – 13 as follows:

On Charge 2, the penalty is disqualification for six months, to be served cumulatively on the penalty imposed in Charge 7. On Charge 1, the penalty is disqualification for three months, to be served concurrently with the penalty imposed in Charge 2.

On Charge 3, a fine of \$1,000 is imposed.

On Charge 4, the penalty is disqualification for a period of six months, to be served concurrently with the penalty imposed in Charge 9.

On Charge 5, the penalty is disqualification for six months, to be served concurrently with the penalty imposed in Charge 6.

On Charge 6, the penalty is disqualification for four years, with two years to be served concurrently and two years to be served cumulatively upon the penalty imposed in Charge 7.

On Charge 7, the penalty is disqualification for eight years.

On Charge 8, the penalty is disqualification for two years, to be served concurrently with the penalty imposed in Charge 7.

On Charge 9, the penalty imposed is disqualification for 12 months, to be served cumulatively with the penalty imposed in Charge 7.

Charge 10 was dismissed.

On Charge 11, the penalty imposed is a fine of \$500.

On Charge 12, the penalty imposed is disqualification for two years, with one year to be served concurrently and one year to be served cumulatively upon the penalty imposed in Charge 7.

On Charge 13, the penalty imposed is disqualification for 12 months, to be served concurrently with the penalty imposed in Charge 7.

We turn now to the additional Charges that were not laid against Ms Reed.

Charge 14 is pursuant to GAR 156(h). This involved the wilful failure to rectify a list of problems with the kennelling at Grangefields. This was a wilful failure by Mr Buxton. The Notice was dated 9 November 2022. For this offence, he is disqualified for a period of six months, to be served cumulatively on the penalty imposed in Charge 7.

Charge 15 also involves GAR 156(h) and a further failure to comply with a lawful Order following that in Charge 14. For this offence, Mr Buxton is disqualified for nine months, to be served cumulatively on the penalty imposed in Charge 7.

Thus, the total effective period of disqualification for these offences is 13 years and nine months. The Stewards imposed an immediate suspension on Mr Buxton's licence pursuant to Local Racing Rule ("LR") 66.1 on 28 December 2023. On 2 January 2024, the decision of the Stewards was to have that suspension remain in effect pursuant to GAR 169(5)(c). Therefore, the period of disqualification is backdated to commence on 28 December 2023. Additionally, there are fines payable totalling \$1,500.

## **BRIEF 2**

We turn now to offences committed by Mr Buxton when he moved his kennelling premises from Grangefields to Junortoun.

Charge 1 is a breach of GAR 21(1)(a). A visit by the Stewards on 19 October 2023 resulted in them finding that the greyhounds on the premises had not been provided with adequate food and drink. For this offence, we impose a fine of \$2,000.

Charge 2 involves GAR 21(1)(c) and arises out of the same visit by the Stewards. There were many problems with the kennels, the bedding and the like. A penalty of disqualification for 12 months is imposed and is to be served concurrently with the penalty imposed in Charge 3.

Charge 3 arises from the visit of the Stewards referred to in Charges 1 and 2. It is focused more upon the condition of the kennelling, which was in a most unsatisfactory state. A period of disqualification for two years is imposed.

Charge 4 results from the veterinary inspection on 19 October 2023. The greyhound, "Kalashnikov", was found to be in a state of malnourishment. There were also concerns in relation to the kennelling. We impose a period of disqualification for two years, to be served cumulatively on the penalty imposed in Charge 3.

Charge 5 is pursuant to GAR 164(b). Mr Buxton failed to attend a Stewards Inquiry. An appropriate Notice of Inquiry had been served upon him. This is against a background of very serious matters going to the heart of animal welfare. We impose a penalty of a period of disqualification for two years, to be served cumulatively on the penalty imposed in Charge 3.

Thus, the total effective period of disqualification for these offences is six years. The period of disqualification is backdated to commence on 28 December 2023. Additionally, there is a fine of \$2,000 payable.

## **CONCLUSION**

The end result is as follows: -

The total effective penalty imposed on Ms Reed is warning off for a period of 12 years and six months, to commence immediately, and a total fine payable of \$1,500.

The total effective penalty imposed on Mr Buxton is disqualification for a period of 19 years and nine months, backdated to commence on 28 December 2023, and a total fine payable of \$3,500.

These Charges involve very serious matters relating to animal welfare. The cases of Ms Reed and Mr Buxton represent some of the most egregious violations of animal welfare that this Tribunal has encountered. Disregard for animal welfare within the industry will not be tolerated and the ultimate penalties reflect this stance.

We commend the Stewards for the manner in which these matters were pursued. Animal welfare and the image of greyhound racing is of great importance. The vigilance of the Stewards, as demonstrated by these cases, plays a vital role in protecting that image.

---

Kathleen Scully  
Assistant Registrar, Victorian Racing Tribunal



18 June 2024

## **DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**BIANCA REED**

**and**

**KENNETH BUXTON**

<b>Date of hearing:</b>	9 April 2024
<b>Date of decision:</b>	9 April 2024
<b>Date of reasons:</b>	18 June 2024
<b>Panel:</b>	Judge John Bowman (Chairperson), Dr Andrew Gould and Ms Judy Bourke.
<b>Appearances:</b>	Ms Amara Hughes, instructed by Mr Anthony Pearce, appeared on behalf of the Stewards. Ms Bianca Reed did not attend the hearing. Mr Kenneth Buxton did not attend the hearing. Mr Benjamin Considine appeared as a witness. Dr Madonna Buiters appeared as a witness.
<b>Charges:</b>	Greyhounds Australasia Rule ("GAR") 21(1)(c) states: (1) A person must ensure that any greyhound in the person's care or custody, is at all times provided with: (c) kennels constructed and of a standard approved by a Controlling Body which are adequate in size and which are kept in a clean and sanitary condition.

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.
- (b) for a minimum of two years.

GAR 21(1)(a) states:

- (1) A person must ensure that any greyhound in the person's care or custody, is at all times provided with:
  - (a) proper and sufficient food, drink and protective apparel.

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 21(2) 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 151(a) 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.

GAR 165(a) states:

- 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.

GAR 156(f)(ii) states:

- 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.

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 164(b) states:

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

(b) refuses or fails to attend or to give evidence at an inquiry (or at any other disciplinary process, hearing or appeal proceeding) or produce a document or other thing in relation to an investigation, examination, test or inquiry (or other disciplinary process, hearing or appeal proceeding) pursuant to the Rules when directed by a Controlling Body, the Stewards, or another authorised person.

**Particulars:**

**Bianca Reed**

**Charge 1: GAR 21(1)(c)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. On 9 November 2022 and 21 January 2023, GRIU Investigative Stewards attended the premises and identified a failure to provide the greyhounds in your care and custody with kennels constructed and of a standard approved by Greyhound Racing Victoria which are adequate in size and kept in a clean and sanitary condition, in that the kennels were not compliant with the 'Code of Practice for the Keeping of Racing Greyhounds 2018', in particular:

- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.

- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yards had considerable amounts of faeces.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Greyhounds were housed in outdoor yards which were insignificant in size.

**Charge 2: GAR 21(3)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. On 9 November 2022 and 21 January 2023, GRIU Investigative Stewards attended the premises and established that you caused or permitted conditions at this premises likely to be dangerous to the health, welfare or safety of that greyhound, in that:

- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.

- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.
- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.

- Greyhounds were housed in outdoor yards which were insignificant in size.

**Charge 3: GAR 21(1)(a)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. Between 24 January 2023 and 21 February 2023, GRIU Investigative Stewards attended the premises and conducted inspections at your premises where it was found that the greyhounds in your care or custody were not provided with proper and sufficient drink.

**Charge 4: GAR 21(1)(c)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. On 5, 7 and 9 February 2023, GRIU Investigative Stewards attended the premises and identified a failure to provide the greyhounds in your care and custody with kennels constructed and of a standard approved by Greyhound Racing Victoria which are adequate in size and kept in a clean and sanitary condition, in that the kennels were not compliant with the 'Code of Practice for the Keeping of Racing Greyhounds 2018', in particular;

- Greyhounds were sighted being permanently housed in trailers.
- The trailer housing the greyhounds flooring was covered in 6 inches of faeces.

- Greyhounds were covered in their own faeces and did not have access to clean fresh water.
- It was apparent greyhounds had recently been housed in the trailer and were not being let out for toileting and or sufficient exercise and enrichment.
- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yards had considerable amounts of faeces.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Greyhounds were housed in outdoor yards which were insignificant in size.

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

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. At all relevant times, you had the greyhounds, “Mary Mary” (NGCPA), “Federal Elite” (NFDWB), “Spring Ace” (VDMUS) and “Twiggy Stick” (TIAGJ) in your care and custody.

3. A Stewards inspection of your registered premises on 9 February 2023 found that the abovementioned greyhounds, following examination by a veterinarian, were experiencing veterinary and husbandry issues that required veterinary attention, which included:

- Emaciated and thin, body condition scores of 1.5 and 2.
- Healing decubital ulcers
- Poor coat condition that was dull, lacking shine, coarse.
- Severely overgrown nails.
- Malnourishment.
- Depressed, with slow responses to the presence of people, and slow physical movements.

4. You failed to ensure that the abovementioned greyhounds, which were in your care and custody, were provided with veterinary attention when necessary.

**Charge 6: GAR 21(2)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV



registered kennelling premises in Grangefields, Victoria (Premises).

2. At all relevant times, you had the greyhounds, “Mary Mary” (NGCPA), “Federal Elite” (NFDWB), “Spring Ace” (VDMUS) and “Twiggy Stick” (TIAGJ) 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, in that:

(a) A Stewards inspection on 9 February 2023 of your registered premises found that the abovementioned greyhounds, following examination by a veterinarian, were experiencing veterinary and husbandry issues, which included:

- Emaciated and thin, body condition scores of 1.5 and 2.
- Healing decubital ulcers.
- Poor coat condition that was dull, lacking shine, coarse.
- Severely overgrown nails.
- Malnourishment.
- Depressed, with slow responses to the presence of people, and slow physical movements.

(b) Stewards’ inspections between 9 November 2022 and 9 February 2023 of your registered premises found that the abovementioned greyhounds were subject to conditions that did not comply with the ‘Code of Practice for the Keeping of Racing Greyhounds 2018’, which included:

- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The

ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.

- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.
- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.

- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Greyhounds were housed in outdoor yards which were insignificant in size.

**Charge 7: GAR 21(2)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields (Premises).

2. At all relevant times, you had the greyhound “Fernando Bubbles” (NIDWS) in your care and custody.

3. You failed to exercise such reasonable care and supervision as was necessary to prevent Fernando Bubbles being subjected to unnecessary pain and suffering, in that:

(a) A Stewards inspection on 5 February 2023 of your registered premises found that Fernando Bubbles, following examination by a veterinarian and a post-mortem examination, was experiencing veterinary and husbandry issues, which included:

- Suffering from malnutrition (starvation).
- Emaciated and thin, body condition score of (1/9).
- Significant intestinal worms.
- Visible wounds – decubital ulcers.
- Right hip ulcer that extended to the bone.

- Housed in a chicken coop, providing inappropriate bedding.
- No water available in chicken coop.
- Build-up of faeces in the bedding area.

(b) Due to the condition of Fernando Bubbles was euthanised by the veterinarian shortly after the examination.

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

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. At all relevant times, you had the greyhound “Fernando Bubbles” (NIDWS) in your care and custody.

3. A Stewards inspection of your registered premises on 5 February 2023 found that Fernando Bubbles, following examination by a veterinarian, was experiencing veterinary and husbandry issues that required veterinary attention, which included;

- Suffering from malnutrition (starvation).
- Emaciated and thin, body condition score of (1/9).
- Significant intestinal worms.
- Visible wounds – decubital ulcers.
- Right hip ulcer that extended to the bone.
- Housed in a chicken coop, providing inappropriate bedding.
- No water available in chicken coop.

- Build-up of faeces in the bedding area.

4. Due to the condition of Fernando Bubbles was euthanised by the veterinarian shortly after the examination.

5. You failed to ensure that the abovementioned greyhounds, which were in your care and custody, were provided with veterinary attention when necessary.

**Charge 9: GAR 21(3)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. On 5, 7 and 9 February 2023, GRIU Investigative Stewards attended the premises and established that you caused or permitted conditions at this premises likely to be dangerous to the health, welfare or safety of that greyhound, in that:

- Greyhounds were sighted being permanently housed in trailers.
- The trailer housing the greyhounds flooring was covered in 6 inches of faeces.
- Greyhounds were covered in their own faeces and did not have access to clean fresh water.
- It was apparent greyhounds had recently been housed in the trailer and were not being let out for toileting and or sufficient exercise and enrichment.
- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.

- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.
- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.

- Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Greyhounds were housed in outdoor yards which were insignificant in size.

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

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. Between 9 November 2022 and 5 February 2023, kennel inspections conducted on your registered premises established that you caused or permitted conditions at this premises likely to be dangerous to the health, welfare or safety of “Rock Lily”, in that:

- Greyhounds were sighted being permanently housed in trailers.
- The trailer housing the greyhounds flooring was covered in 6 inches of faeces.
- Greyhounds were covered in their own faeces and did not have access to clean fresh water.
- It was apparent greyhounds had recently been housed in the trailer and were not being let out for toileting and or sufficient exercise and enrichment.
- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.

- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.
- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.



- Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Greyhounds were housed in outdoor yards which were insignificant in size.

(b) Sometime in late January 2023, Rock Lily was removed from the premises due to its owner becoming concerned for its welfare.

(c) Rock Lily (NEBNS) passed away two (2) days after leaving the property.

**Charge 11: GAR 151(a)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).
2. Between 9 November 2022 and 21 February 2023, GRIU Investigative Stewards attended the premises and conducted inspections on your registered premises established you had failed to keep and retain written records detailing treatments to greyhound in your care.
3. You failed to establish and maintain treatment records for greyhound entering your care.

**Charge 12: GAR 165(a)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. You have engaged in conduct which is detrimental or prejudicial to the interest, welfare, image, control or promotion of greyhound racing, in that:

(a) On 5 February 2023, Greyhound “Fernando Bubbles” was found on your property in non-compliant living conditions, with his physical condition being such that he had to be immediately euthanised.

(b) You failed to be aware that Fernando Bubbles was on your property and experiencing such conditions.

(c) Other GRV registered persons and the RSPCA became aware that the greyhound had been euthanised due to its living conditions.

**Charge 13: GAR 156(f)(ii)**

1. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

2. On 5 February 2023, Greyhound “Fernando Bubbles” (NIDWS) was found on your property, in non-compliant living conditions, his physical condition was such that he had to be immediately euthanised.

3. It is negligent and/or improper that you, as a person in charge of Fernando Bubbles, to fail to advise other persons responsible for the greyhound of its presence at the property.

**Kenneth Buxton**

**Brief 1**

**Charge 1: GAR 21(1)(c)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

3. On 9 November 2022 and 21 January 2023, GRIU Investigative Stewards attended the premises and identified a failure to provide the greyhounds in your care and custody with kennels constructed and of a standard approved by Greyhound Racing Victoria which are adequate in size and kept in a clean and sanitary condition, in that the kennels were not compliant with the 'Code of Practice for the Keeping of Racing Greyhounds 2018', in particular:

- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.

- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yards had considerable amounts of faeces.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Greyhounds were housed in outdoor yards which were insignificant in size.

**Charge 2: GAR 21(3)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

3. On 9 November 2022 and 21 January 2023, GRIU Investigative Stewards attended the premises and established that you caused or permitted conditions at this premises likely to be dangerous to the health, welfare or safety of that greyhound, in that:

- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibly wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.

- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.
- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.

- Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Greyhounds were housed in outdoor yards which were insignificant in size.

**Charge 3: GAR 21(1)(a)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

3. Between 24 January 2023 and 21 February 2023, GRIU Investigative Stewards attended the premises and conducted inspections at your premises where it was found that the greyhounds in your care or custody were not provided with proper and sufficient drink.

**Charge 4: GAR 21(1)(c)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

3. On 5, 7 and 9 February 2023, GRIU Investigative Stewards attended the premises and identified a failure to provide the

greyhounds in your care and custody with kennels constructed and of a standard approved by Greyhound Racing Victoria which are adequate in size and kept in a clean and sanitary condition, in that the kennels were not compliant with the 'Code of Practice for the Keeping of Racing Greyhounds 2018', in particular:

- Greyhounds were sighted being permanently housed in trailers.
- The trailer housing the greyhounds flooring was covered in 6 inches of faeces.
- Greyhounds were covered in their own faeces and did not have access to clean fresh water.
- It was apparent greyhounds had recently been housed in the trailer and were not being let out for toileting and or sufficient exercise and enrichment.
- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.

- Yards had considerable amounts of faeces.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Greyhounds were housed in outdoor yards which were insignificant in size.

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

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you had the greyhounds, “Mary Mary” (NGCPA), “Federal Elite” (NFDWB), “Spring Ace” (VDMUS) and “Twiggy Stick” (TIAGJ) in your care and custody.

3. A Stewards inspection of your registered premises on 9 February 2023 found that the abovementioned greyhounds, following examination by a veterinarian, were experiencing veterinary and husbandry issues that required veterinary attention, which included:

- Emaciated and thin, body condition scores of 1.5 and 2.
- Healing decubital ulcers.
- Poor coat condition that was dull, lacking shine, coarse.
- Severely overgrown nails.
- Malnourishment.
- Depressed, with slow responses to the presence of people, and slow physical movements.



4. You failed to ensure that the abovementioned greyhounds, which were in your care and custody, were provided with veterinary attention when necessary.

**Charge 6: GAR 21(2)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you had the greyhounds, “Mary Mary” (NGCPA), “Federal Elite” (NFDWB), “Spring Ace” (VDMUS) and “Twiggy Stick” (TIAGJ) 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, in that:

(a) A Stewards inspection on 9 February 2023 of your registered premises found that the abovementioned greyhounds, following examination by a veterinarian, were experiencing veterinary and husbandry issues, which included:

- Emaciated and thin, body condition scores of 1.5 and 2.
- Healing decubital ulcers.
- Poor coat condition that was dull, lacking shine, coarse.
- Severely overgrown nails.
- Malnourishment.
- Depressed, with slow responses to the presence of people, and slow physical movements.

(b) Stewards' inspections between 9 November 2022 and 9 February 2023 of your registered premises found that the abovementioned greyhounds were subject to conditions that did not comply with the 'Code of Practice for the Keeping of Racing Greyhounds 2018', which included:

- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.

- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Greyhounds were housed in outdoor yards which were insignificant in size.

**Charge 7: GAR 21(2)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you had the greyhound “Fernando Bubbles” (NIDWS) in your care and custody.

3. You failed to exercise such reasonable care and supervision as was necessary to prevent Fernando Bubbles being subjected to unnecessary pain and suffering, in that:

(a) A Stewards inspection on 5 February 2023 of your registered premises found that FERNANDO BUBBLES, following examination by a veterinarian and a post-mortem examination, was experiencing veterinary and husbandry issues, which included:

- Suffering from malnutrition (starvation).

- Emaciated and thin, body condition score of (1/9).
- Significant intestinal worms.
- Visible wounds – decubital ulcers.
- Right hip ulcer that extended to the bone.
- Housed in a chicken coop, providing inappropriate bedding.
- No water available in chicken coop.
- Build-up of faeces in the bedding area.

(b) Due to the condition of Fernando Bubbles was euthanised by the veterinarian shortly after the examination.

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

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you had the greyhound “Fernando Bubbles” (NIDWS) in your care and custody.

3. A Stewards inspection of your registered premises on 5 February 2023 found that Fernando Bubbles, following examination by a veterinarian, was experiencing veterinary and husbandry issues that required veterinary attention, which included:

- Suffering from malnutrition (starvation).
- Emaciated and thin, body condition score of (1/9).
- Significant intestinal worms.

- Visible wounds – decubital ulcers.
- Right hip ulcer that extended to the bone.
- Housed in a chicken coop, providing inappropriate bedding.
- No water available in chicken coop.
- Build-up of faeces in the bedding area.

4. Due to the condition of Fernando Bubbles was euthanised by the veterinarian shortly after the examination.

5. You failed to ensure that the abovementioned greyhounds, which were in your care and custody, were provided with veterinary attention when necessary.

**Charge 9: GAR 21(3)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

3. On 5, 7 and 9 February 2023, GRIU Investigative Stewards attended the premises and established that you caused or permitted conditions at this premises likely to be dangerous to the health, welfare or safety of that greyhound, in that:

- Greyhounds were sighted being permanently housed in trailers.

- The trailer housing the greyhounds flooring was covered in 6 inches of faeces.
- Greyhounds were covered in their own faeces and did not have access to clean fresh water.
- It was apparent greyhounds had recently been housed in the trailer and were not being let out for toileting and or sufficient exercise and enrichment.
- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.

- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.
- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Greyhounds were housed in outdoor yards which were insignificant in size.

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

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises, namely in Grangefields, Victoria (Premises), including "Rock Lily" (NEBNS).
3. Between 9 November 2022 and 5 February 2023, kennel inspections conducted on your registered premises established that you caused or permitted conditions at this premises likely to be dangerous to the health, welfare or safety of Rock Lily, in that:

- Greyhounds were sighted being permanently housed in trailers.
- The trailer housing the greyhounds flooring was covered in 6 inches of faeces.
- Greyhounds were covered in their own faeces and did not have access to clean fresh water.
- It was apparent greyhounds had recently been housed in the trailer and were not being let out for toileting and or sufficient exercise and enrichment.
- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like



structures which were insignificant in size, not affording greyhounds adequate protection from the elements.

- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.
- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Greyhounds were housed in outdoor yards which were insignificant in size.

(b) Sometime in late January 2023 Rock Lily was removed from the premises due to its owner becoming concerned for its welfare

(c) Rock Lily (NEBNS) passed away two (2) days after leaving the property.

**Charge 11: GAR 151(a)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

3. Between 9 November 2022 and 21 February 2023, GRIU Investigative Stewards attended the premises and conducted inspections on your registered premises and established that you had failed to keep and retain written records detailing treatments to greyhound in your care.

4. You failed to establish and maintain treatment records for greyhound entering your care.

**Charge 12: GAR 165(a)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises), including "Fernando Bubbles" (NIDWS).

3. You have engaged in conduct which is detrimental or prejudicial to the interest, welfare, image, control or promotion of greyhound racing, in that:

(a) On 5 February 2023, Greyhound Fernando Bubbles was found on your property in non-compliant living conditions, with his physical condition being such that he had to be immediately euthanised.

(b) You failed to be aware that Fernando Bubbles was on your property and experiencing such conditions

(c) Other GRV registered persons and the RSPCA became aware that the greyhound had been euthanised due to its living conditions.

**Charge 13: GAR 156(f)(ii)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

3. On 5 February 2023, Greyhound “Fernando Bubbles” (NIDWS) was found on your property, in non-compliant living conditions, his physical condition was such that he had to be immediately euthanised.

4. It is negligent and/or improper that you, as the person in charge of the property, failed to know Fernando Bubbles was on your property and was in such a poor condition.

**Charge 14: GAR 156(h)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

3. On 9 November 2022, you were issued with a Lawful Order by a Steward by way of Directions Notice which directed you, to ensure by 2nd of December 2022, your kennels located in Grangefields, Victoria complied with the 'Code of Practice for the Keeping of Racing Greyhounds April 2018', in particular, all aspects of:

- Section 6.7.1, The greyhound establishment must be clean and hygienic at all times.
- Section 6.7.2, Minimum housing requirements.
- Section 6.7.6, Construction of housing pens and yards.
- Section 6.7.7, Construction of indoor kennel facilities.

4. On 24 January 2023, you failed to ensure your kennels complied with the Code of Practice as directed. Items not complied with included:

- The cement floor does not have drainage, allowing for liquids to pool and does not permit adequate drainage of fluids. The ground was visibility wet. Pools of liquid believed to be urine sighted. The floor was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- The odour of urine and ammonia was overpowering.
- Poor ventilation - There was only a single door offering ventilation. There was poor air flow and a lack of natural light.
- Bedding - Greyhounds were sighted laying in broken beds directly on the cement floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.

- Pens were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Yards did not have adequate weatherproof area. Greyhounds were being housed in small plastic kennels or tepee like structures which were insignificant in size, not affording greyhounds adequate protection from the elements.
- Yard housing units had fully open sides, exposing greyhounds to the elements.
- Yards had considerable amounts of faeces.
- The majority of yards had insufficient shading.
- Insignificant clean freshwater for approximately 50% of the greyhounds housed in the outside yards. Water receptacles were empty.
- Yard bedding - Greyhounds were sighted laying directly on the ground, in dirt and saw dust. Greyhounds within the outside yards did not have clean, soft raised bedding.
- Yards were secured with bolts preventing immediate access to the greyhounds. Posing a risk in the event of an emergency.
- Greyhounds were housed in outdoor yards which were insignificant in size.

5. You failed to comply with the Lawful Order of a Steward in relation to greyhound racing.

**Charge 15: GAR 156(h)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Grangefields, Victoria (Premises).

3. On 24 January 2023, you were issued with a further Lawful Order by a Steward by way of Directions Notice which directed you, to ensure by 24th of February 2023, your kennels located in Grangefields, Victoria, complied with the 'Code of Practice for the Keeping of Racing Greyhounds April 2018', in particular, all aspects of:

- Section 6.1.2, Greyhounds must have access to a sufficient supply of fresh clean water at all times at the establishment.
- Section 6.7.1, The greyhound establishment must be clean and hygienic at all times.
- Section 6.7.2, Minimum housing requirements.
- Section 6.7.6, Construction of housing pens and yards.
- Section 6.7.7, Construction of indoor kennel facilities.

4. On 5 February 2023, following an emergency call out to your property, you were issued with a further Lawful Order by a Steward by way of Directions Notice which directed you, to ensure, your kennels located in Grangefields, Victoria, immediately complied with the 'Code of Practice for the Keeping of Racing Greyhounds April 2018', in particular, all aspects of:

- Section 6.1.2, Greyhounds must have access to a sufficient supply of fresh clean water at all times at the establishment.
- Section 6.7.1, The greyhound establishment must be clean and hygienic at all times.
- Section 6.7.6, Construction of housing pens and yards.

- You were required to provide all medical records for greyhound “Fernando Bubbles” (NIDWS) for the period 1 January 2023 to 5 February 2023, who was located at your property, by 9 February 2023.

5. On 9 February 2023, you failed to ensure your kennels complied with the Code of Practice as directed and listed within item 4 of this notice. Additionally, you failed to provide any record relating to greyhound Fernando Bubbles (NIDWS).

6. You failed to comply with the Lawful Order of a Steward in relation to greyhound racing.

## **Brief 2**

### **Charge 1: GAR 21(1)(a)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Junortoun, Victoria (Premises).

3. On 19 October 2023, GRIU Investigative Stewards attended the premises and conducted inspections at your premises where it was found that the greyhounds in your care or custody were not provided with proper and sufficient drink.

### **Charge 2: GAR 21(1)(c)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Junortoun, Victoria (Premises).

3. On 19 October 2023, GRIU Investigative Stewards attended the premises and identified a failure to provide the greyhounds in your care and custody with kennels constructed and of a standard approved by Greyhound Racing Victoria which meet minimum standards and kept in a clean and sanitary condition, in that the kennels were not compliant with the 'Code of Practice for the Keeping of Racing Greyhounds 2018', in particular:

- The floor did not have drainage, allowing for liquids to pool and did not permit adequate drainage of fluids. The flooring was merely dirt covered with straw, and it was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- Bedding - Greyhounds were sighted laying in broken beds directly on the dirt/straw floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- There was no secondary boundary to prevent the escape of greyhounds.
- The general area of the kennels was unclean with a build-up of dirt, grime and detritus surrounding the area.



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

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. You were at all relevant times a person responsible for the care and supervision of the greyhounds housed at your GRV registered kennelling premises in Junortoun, Victoria (Premises).

3. On 19 October 2023, GRIU Investigative Stewards attended the premises and identified a failure to provide the greyhounds in your care and custody with kennels constructed and of a standard approved by Greyhound Racing Victoria which meet minimum standards and kept in a clean and sanitary condition, in that the kennels were not compliant with the 'Code of Practice for the Keeping of Racing Greyhounds 2018', in particular:

- The floor did not have drainage, allowing for liquids to pool and did not permit adequate drainage of fluids. The flooring was merely dirt covered with straw, and it was not impervious to liquids.
- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- Bedding - Greyhounds were sighted laying in broken beds directly on the dirt/straw floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- There was no secondary boundary to prevent the escape of greyhounds.

- The general area of the kennels was unclean with a build-up of dirt, grime and detritus surrounding the area.
- Greyhounds were not provided with significant clean fresh water.

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

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. At all relevant times, you had approximately 18 greyhounds in your care and custody, including the greyhound “Kalashnikov” (VKRVM).

3. You failed to exercise such reasonable care and supervision as was necessary to prevent the abovementioned greyhounds being subjected to unnecessary suffering, or from anything which is likely to lead to unnecessary suffering, in that:

(a) A Stewards inspection on 19 October 2023 of your registered premises found that Kalashnikov, following examination by a veterinarian, was experiencing veterinary and husbandry issues, which included:

- Underweight and thin, body condition scores of 2/5.
- Being in a physical state of malnourishment.

(b) Stewards’ inspections on 19 October 2023 of your registered premises found that the abovementioned greyhounds were subject to conditions that did not comply with the ‘Code of Practice for the Keeping of Racing Greyhounds 2018’, which included:

- The floor did not have drainage, allowing for liquids to pool and did not permit adequate drainage of fluids. The flooring was

merely dirt covered with straw, and it was not impervious to liquids.

- There was a build-up of faeces, dirt, and grime throughout several pens housing greyhounds.
- Bedding - Greyhounds were sighted laying in broken beds directly on the dirt/straw floor. Bedding had visible signs of dirt and grime build-up. They were not clean and dry.
- Screens - most pens did not have privacy screens at least 1 meter high between each greyhound's sleeping area.
- There was no secondary boundary to prevent the escape of greyhounds.
- The general area of the kennels was unclean with a build-up of dirt, grime and detritus surrounding the area.
- Greyhounds were not provided with significant clean fresh water.

**Charge 5: GAR 164(b)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 325775) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. On 6 November 2023, a Notice of Inquiry from Investigative Stewards of Greyhound Racing Victoria (GRV) was personally served on you via your registered email address recorded on FastTrack for you to attend at a telephone inquiry on Friday, 10 November 2023 at 10 AM.
3. You failed to attend the inquiry as required at the appointed time.



and Mr Buxton at Grangefields. We are comfortably satisfied that the kennel facilities found by the Stewards on their visits on 9 November 2022 and 21 January 2023 were ill-kept and unclean so as to pose a danger to the health and well-being of the greyhounds kennelled there. We are comfortably satisfied that Charge 1 has been made out.

Charge 2 is pursuant to GAR 21(3) and relates to the existence on the premises of conditions likely to be dangerous to the health, welfare or safety of greyhounds. We are comfortably satisfied that, in each instance, the Charges pursuant to GAR 21(3) have been made out. The condition of the kennels was most unsatisfactory.

Charge 3 against each person charged is pursuant to GAR 21(1)(a). It is based upon attendances by the Stewards at the kennels between 24 January 2023 and 21 February 2023. We accept that it was found that the relevant greyhounds were not provided with proper and sufficient drink. We are comfortably satisfied that Charge 3 has been made out.

Charge 4, like Charge 1, is pursuant to GAR 21(1)(c). It concerns a failure to provide adequate, clean and sanitary kennels, as noted by the Stewards on visits on 5, 7 and 9 February 2023. These visits are at a later time than the inspections that form the basis of Charge 1. We are comfortably satisfied that Charge 4 has been made out.

Turning to Charge 5, this is pursuant to GAR 21(1)(d) and is based upon an inspection on 9 February 2023. It concerns four specific greyhounds – “Mary Mary”, “Federal Elite”, “Spring Ace” and “Twiggy Stick”. These greyhounds had issues that required veterinary attention, including ulcers and malnourishment. We accept this and find the Charge proven.

Charge 6 is pursuant to GAR 21(2). This concerns the same four greyhounds as in Charge 5 and their pain and suffering. There appears to be a certain amount of duplication with Charge 5. In any event, we are comfortably satisfied that Charge 6 has been made out.

Charge 7 is pursuant to GAR 21(2) and relates to the condition of the greyhound, “Fernando Bubbles” as at the date of a Stewards’ inspection on 5 February 2023. A veterinary inspection was carried out. The dog had obviously been in very poor condition and had been housed in unsatisfactory kennelling. It had to be put down.

Charge 8 is pursuant to GAR 21(1)(d). It also concerns Fernando Bubbles and the inspection on 5 February 2023. There would appear to be some duplication with Charge 7. In any event, we find both Charges 7 and 8 proven to our comfortable satisfaction.

Charge 9 involves GAR 21(3) and the conditions in which greyhounds were found to be kennelled and housed as at 5, 7 and 9 February 2023. Again, there is the potential for some

duplication. In any event, we are comfortably satisfied that Charge 9 has been proven and again accept the evidence of the Stewards.

We shall return subsequently to Charge 10.

Charge 11 is based on GAR 151(a). That Charge, which relates to a failure to keep proper records in relation to the treatment of the dogs and the like, is also proven to our comfortable satisfaction.

Charge 12 involves GAR 165(a) and relates to the condition of Fernando Bubbles. There is some duplication with Charge 8. We find the Charge proven.

Charge 13 also relates to Fernando Bubbles and is pursuant to GAR 156(f)(ii). It concerns a failure to advise persons responsible as to its condition. It required euthanasia. Charge 13 has been proved to our comfortable satisfaction.

Returning to Charge 10, we are not comfortably satisfied that this Charge has been made out. Effectively, the new matters added by this Charge relate to the greyhound "Rock Lily", its removal from the kennels at Grangefields by its owner and its subsequent death two days later. We are not comfortably satisfied that the necessary evidentiary links between these events and the condition of the kennels have been made out. The condition of the kennels generally is covered by other Charges. The relevant matters specific to Charge 10 have not been proven to our comfortable satisfaction and this Charge is dismissed.

#### **CHARGES 14 and 15 and 1 – 5: Mr Buxton**

Charge 14 is pursuant to GAR 156(h). It concerns the kennelling at Grangefields and a Lawful Order issued by way of a Directions Notice on 9 November 2022. It contained a list of problems with the kennelling and required Mr Buxton to rectify them. We accept that there was a failure to comply with that Lawful Order and therefore Charge 14 has been proven to our comfortable satisfaction.

Charge 15 is pursuant to the same Rule and involves a further Lawful Order by way of a Directions Notice. We accept that again there was no compliance by Mr Buxton. Amongst other things, this Charge specifically referred to Fernando Bubbles. We are comfortably satisfied that Charge 15 has been made out.

Turning to Brief 2 in relation to Mr Buxton, Charge 1 alleges a breach of GAR 21(1)(a). By this time, Mr Buxton (and Ms Reed) had moved to different kennels in Junortoun. A visit by the Stewards on 19 October 2023 found that the greyhounds on the premises had not been provided with proper and sufficient drink. We accept this and Charge 1 has been made out.

Charge 2 involves GAR 21(1)(c) and the same visit by the Stewards. A considerable number of problems with the kennels, the bedding and the like were identified. We are comfortably satisfied that Charge 2 has been made out.

Charge 3 concerns GAR 21(3). It also arises from the Stewards inspection of 19 October 2023. It is more specifically directed to the conditions of the kennelling. There is a certain amount of potential duplication with Charge 2. As with Charge 2, we are comfortably satisfied that it has been proven.

Charge 4 of Brief 2 is pursuant to GAR 21(2). It focuses more specifically on the greyhound "Kalashnikov". We accept that a veterinary inspection on 19 October 2023 found that the dog was in a state of malnourishment, apart from kennelling concerns. We accept this and Charge 4 has been proven to our comfortable satisfaction.

Charge 5 of Brief 2 concerns GAR 164(b). It relates to Mr Buxton's failure to comply with a Notice of Inquiry served upon him. The inquiry was to be held on 10 November 2023. Mr Buxton failed to attend. We are comfortably satisfied that this Charge has been proven.

## **CONCLUSION**

As stated, and is obvious from the above, we are comfortably satisfied that all Charges, save for Charge 10, are proven. That is so in relation both the Charges against Ms Reed and those against Mr Buxton.

We shall not move on immediately to issues of penalty. Whilst it may well prove a fruitless exercise, attempts shall be made again to contact Ms Reed and Mr Buxton in order to ascertain if they do wish to take part in any discussion concerning penalty.

## **NOTE**

The Stewards will be asked to advise Ms Reed and Mr Buxton, as soon as possible, of the overall penalty that shall be sought so that they can be aware of that.

---

Kathleen Scully  
Assistant Registrar, Victorian Racing Tribunal