3 March 2023

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**JASON SHARP**

**Date of hearing:** 23 February 2023

**Panel:** Judge John Bowman (Chairperson).

**Appearances:** Mr Andrew Spence appeared on behalf of the Stewards.

Mr Jason Sharp represented himself.

**Charge:** Greyhounds Australasia Rule (“GAR”) 123 states:

Where, in the opinion of the Stewards, a greyhound is found to have marred during an Event, the Stewards must impose a period of suspension in respect of the greyhound pursuant to rule 127, which is to be recorded by them as part of the identification record.

**Particulars of charge:** Aston Filippa, underwent a post–race veterinary examination and was found to have an abrasion. A 3 day stand down period was imposed. Stewards spoke to Mr. Dale Chapman regarding Aston Filippa’s racing manners entering the home straight. Acting under the provisions of GAR 123 Aston Filippa was charged with marring. Mr. Chapman pled not guilty to the charge, Aston Filippa was found guilty and suspended for 28 days at Traralgon and must perform a Satisfactory Trial in accordance with GAR 127, and pursuant to GAR 132, before any future nomination will be accepted.

**Plea:** Not Guilty

**DECISION**

Mr Jason Sharp, as the trainer of Aston Filippa you are appealing against a decision of the Stewards in relation to a Charge of marring arising out of the running of Race 1 over 350 metres at Traralgon on 17 February 2023. Your dog was charged and convicted of marring, being a breach of GAR 123. The usual penalty for this offence is a suspension for 28 days and that, along with the requirement for a satisfactory trial, was imposed. It is against this that you are appealing.

I have viewed the videos of the race many times. I have also examined the still photographs extracted from the them and forwarded to the Tribunal by you. Your dog jumped from box 2. The other dog involved, Valencia Bella, had box 8. These two dogs quickly got several lengths clear of the field, with your dog on the inside. There was some bumping on the home turn, with the pink dog, Valencia Bella, apparently trying to get to the inside, whilst your dog was trying to get to the outside. This preliminary bumping is not the incident relied upon by the Stewards.

However, coming into the straight, the interaction between the two dogs continued. I would add in passing that, at some stage, your dog’s muzzle became detached and was hanging around its neck. Whether this had any effect on what occurred is difficult to say.

In the straight, Valencia Bella continued to veer towards the inside, effectively taking Aston Filippa’s running and leaning on it. At one stage close to the finishing line, Valencia Bella clearly turned its head, with its mouth wide open, towards the inside, with its head contacting your dog and pushing against it. Your dog raised its head at one stage, but whether it made voluntary contact with the other dog, or the other dog was pushing against its head and neck, is far from clear. In fact, it seems to me that Valencia Bella’s wayward racing manners brought it into contact with the body, and possibly the head, of Aston Filippa. Based on the video and still photographs extracted from it, I am far from satisfied, comfortably or otherwise, that Aston Filippa engaged in marring. Valencia Bale continually laid in on Aston Filippa from a position slightly ahead of it. I am not satisfied that at any stage Aston Filippa engaged in marring. Accordingly, in this unusual case the appeal is allowed and the penalty imposed is set aside.

Mark Howard

Registrar, Victorian Racing Tribunal