2 February 2023

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**TREVOR WHITFORD**

**Date of hearing:** 18 January 2023

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

**Appearances:** Mr Alex Kitching appeared on behalf of the Stewards.

Mr Trevor Whitford represented himself.

**Charge:** Greyhounds Australasia Rule (“GAR”) 124 states:

Subject to rule 125, where, in the opinion of the Stewards, a greyhound fails to pursue the lure 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: “**Mt. View Bentley” turned its head to the outside soon after the start, underwent a post-race veterinary examination - no apparent injury was reported. Trainer, Mr Trevor Whitford declined the option to have the greyhound re-vetted. Stewards spoke to Mr. Whitford regarding Mt View Bentley’s racing manners soon after the start. Acting under the provisions of GAR 124 Mt. View Bentley was charged with failing to pursue the lure with due commitment. Mr. Whitford pled not guilty to the charge, Mt. View Bentley was found guilty and suspended for 28 days at Warragul 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 Trevor Whitford, you are the trainer of “Mt. View Bentley”, which competed in Race 3 at Warragul on 12 January 2023. Mt. View Bentley started from box 1. There was a field of only five greyhounds.

Following the event, the Stewards found that the dog turned its head to the outside soon after the start. A post-race veterinary examination was conducted and no apparent injury reported. Pursuant to Greyhounds Australasia Rule (“GAR”) 124, Mt. View Bentley was found guilty of failing to pursue the lure with due commitment. It was suspended for 28 days at Warragul and must perform a satisfactory trial before any future nomination will be accepted.

Apart from reading the appeal brief, I have had the opportunity to watch videos of the race many times, and particularly that part of it almost immediately after the start. I have also examined the still photographs taken from the video material. In addition, I have examined photographic material of the finish, this having been forwarded by you. Your dog does not appear in this material, but apparently it has been sent to illustrate the behaviour of another dog in relation to which Stewards also too action, but the penalty for it was only a warning. I might say that, although there were only five dogs in the race, a lot happened. The Stewards acted in relation to three of them.

One of the dogs, “Sky's Delight”, which was the ultimate winner, and which was involved in the incident near the finish, but, after enquiring into what had occurred, the Stewards issued a warning in relation to its racing manners.

The essence of your argument is that your dog tends to race wide at times. It was the red, in box 1. Boxes 2 and 3 were vacant. It jumped out towards the rail, but then drifted out into the vacant space before racing straight ahead. It did not show a great deal of early speed, and dropped to the back of the field. You claim that any turning of the head is barely visible, if at all. You also drew a comparison with the behaviour of Sky’s Delight and the lesser penalty imposed on that dog.

I appreciate the points that you make in your well-presented argument. However, in my opinion, the Stewards have made out their case and I prefer the argument of Mr Alex Kitching on their behalf. As stated, I have viewed the videos and the still photographs many times, and I have now viewed them again. I am comfortably satisfied that, after jumping out, Mt. View Bentley did turn its head to the outside and drifted out towards the dog on its outside. It moved that way before straightening up. There seems to me to have been a clear breach of the relevant Rule.

I accept that it is a big dog still learning its craft, but I am comfortably satisfied that a breach of the Rule did occur early in the race. Accordingly, the appeal is dismissed.

I would add the following. You made some observations concerning the alleged need for consistency, particularly as the other dog in the same race escaped with a warning. I appreciate that each incident is separate and must be viewed on its merits. I also appreciate that on race days Stewards have a difficult job to do and to do quickly. Perhaps, at times, some brief explanations are required as to the reasons for penalties, particularly in relation to these offences of failing to chase and marring, and why they are imposed or why they vary. I also appreciate that trainers, understandably, may tend to view the behaviour of their dogs through rose coloured glasses. However, at times, some brief explanation by the Stewards may assist a greater understanding by the industry. That is highlighted by the situation of differing penalties arising in the same race on the same day. I repeat that the Stewards have a difficult and onerous task to perform and they perform it well, but the issue of consistency of penalties might be addressed at time by a little more explanation.

However, as stated, the appeal is dismissed.

Kathleen Scully

Assistant Registrar, Victorian Racing Tribunal