22 December 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**COLIN BAKER**

**Date of hearing:** 8 December 2021

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

**Appearances:** Mr Paul Searle appeared on behalf of the Stewards.

Mr Colin Baker represented himself at the hearing.

**Charge:** Greyhounds Australia Rule (GAR) 69B(1)states 1 where, in the opinion of the Stewards, a greyhound fails to pursue the lure with due commitment for the first time only then it shall be examined by the officiating veterinary surgeon or authorised person at the meeting and (a) if found to be injured, it shall be suspended until the completion of a satisfactory trial, and the specifics shall be recorded in the relevant Controlling Body Register, or where applicable, the Certificate of Registration or Weight Card of the greyhound. (b) if found not to be injured, then the provisions of Rule 69A shall apply.

**Particulars of charge:** Stewards spoke to trainer, Mr Colin Baker regarding the greyhounds racing manners on the home turn.  Acting under the provisions of GAR 69B (1), Will's Bella was charged with failing to pursue the lure with due commitment (by reason of injury). Mr Baker pleaded not guilty to the charge, Will's Bella was found guilty and must perform a Satisfactory Trial  in accordance with GAR 69B (1) and pursuant to GAR 72, before any future nomination will be accepted.

**Plea:** Not Guilty

**DECISION**

This appeal by Mr Colin Baker concerns the performance of the dog, Will’s Bella, trained by him and which ran in Race 7 over 311 metres at Cranbourne on 3 December 2021.

The charge involved is that Will’s Bella failed to pursue the lure with due commitment by reason of injury – in other words, a breach of GAR69B(1). When interviewed, Mr Baker pleaded not guilty. The Stewards found the charge proved. Will’s Bella must perform a satisfactory trial in accordance with GAR69B(1) and pursuant to GAR72 before any future nomination will be accepted. I note that after the race Will’s Bella was found to have a quadricep injury and a 10 day stand down period was imposed. Mr Baker now appeals the decision.

This appeal also involves Rule 55, which concerns the distance of the lure from the leading greyhound. It should be no less than 5 and no more than 8 metres ahead of the leading greyhound. A variance may be permitted by the Stewards if no greyhound has been substantially inconvenienced so as to affect the outcome of the event.

I have viewed the video of the race many times, before, during and after the submissions. Will’s Bella jumped from the outside of the field of six. The dog crossed to the lead in this short distance race. There was considerable interference in the group of dogs behind it and Will’s Bella went to a lead of approximately four lengths. Will’s Bella then eased noticeably, to the extent that the red dog, running second, overtook Will’s Bella and got a couple of lengths clear. Will’s Bella then resumed chasing properly and finished strongly, beaten a little over a length, with a considerable gap to the third dog. A veterinary examination after the race showed that it had right quadricep pain and it was stood down for 10 days.

The argument advanced by Mr Baker concerns the distance that the lure was in front of his dog. Effectively, he argued that the lure moved at an inconsistent speed, from being almost out of sight of his dog as it cornered to being only approximately 3 metres ahead of the chasing dogs. This inconsistency caused his dog to slow up when well clear and thus to be overtaken.

Rule 55(1) provides that the lure is to be a distance of not less than 5 metres and no more than 8 metres ahead of the leading dog. As stated, the Stewards may permit a variance to that distance if satisfied that no greyhound has been substantially inconvenienced so as to affect the outcome of the race.

Rule 55(2) provides that the Stewards may declare a “no race” if, in their opinion, the outcome of the event has been affected by the positioning of the lure. Mr Baker is effectively arguing that this event should have been declared a “no race”.

Having viewed the videos, examined the photographs and heard helpful submissions, my finding is that the arguments advanced by the Stewards should be accepted. I am satisfied that the dog failed to pursue the lure by reason of injury. Exactly when the dog suffered the injury is not clear, but it stopped sharply when entering the turn, resumed chasing and was found to have quadricep pain after the race.

I am not satisfied that the positioning of the lure was responsible for what occurred. There is nothing in the video material to suggest that it was. Mr Searle, on behalf of the Stewards, argued that this was almost a classic example of a dog failing to pursue due to injury, and I accept that. The dog was leading clearly, almost pulled up somewhat sharply, and then resumed chasing, before being found to have suffered a quadricep injury or suffering quadricep pain. As stated, I repeat that I am not satisfied that the position of the lure played any part. In summary, the appeal is dismissed, and the decision of the Stewards stands.

Mark Howard
Registrar, Victorian Racing Tribunal