29 October 2020

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MR COLIN BAKER**

**Date of hearing:** 15 October 2020

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

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

Mr Colin Baker represented himself.

**Charge:** Greyhounds Australasia Rule (“GAR”) 69(B)(1) states:

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

1. 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.
2. if found not to be injured, then the provisions of Rule 69A shall apply.

**Particulars of charge:** Stewards spoke to trainer Colin Baker, regarding the greyhounds racing manners approaching the winning post. Acting under the provisions of GAR 69(B)(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 pursuant to GAR 69(B)(1)(a) before any future nomination will be accepted.

**Plea:** Not Guilty

**DECISION**

Mr Colin Baker, on behalf on your dog, “Wills Bella”, you are appealing the decision of the Stewards in relation to Race 2 at Ballarat on 5 October 2020. Wills Bella in fact won the race. There was what I would call a scrimmage involving Wills Bella and the pink dog, Rough Ride, in the home straight. As a result, Stewards found that there had been a breach of Greyhounds Australasia Rule (“GAR”) 69(B)(1), finding that Wills Bella failed to pursue the lure with due commitment by reason of injury.

A post-race veterinary examination revealed that Wills Bella had an abrasion to the right calf and a left foreleg wrist injury. A seven day stand down was imposed. The dog was found guilty of the breach of GAR 69(B)(1) and an order pursuant to GAR 69(B)(1)(a) that the dog perform a satisfactory trial before resuming racing. That is the background of this appeal.

I have viewed the video material many, many times. That viewing included the full-length television coverage of the side on view of the straight. I have also viewed many times the brief and blurry head on vision of the concluding stage in the home straight.

I am quite satisfied that Wills Bella was close to the running rail. Rough Ride was very wide early in the straight. It actually hit the front, but moved in a considerable distance. Wills Bella moved a short distance, perhaps a couple of dogs, out from the inside. Whilst this all happened in about a second, Rough Ride seemed to me to move its head towards Wills Bella a split second before Wills Bella turned its head back towards Rough Ride. In the vernacular, Rough Ride through the first punch. Wills Bella narrowly won the race.

What I am not satisfied about is where this incident took place in the relation to the winning post. The head on vision is brief and blurry and gives no assistance. I emphasise that this is no criticism of the Stewards. They do their very best with the inadequate head on vision that is supplied at Ballarat. This is the second case in comparatively recent times where the inadequate head on vision at Ballarat has caused a problem. The Stewards can only work with what is available to them. As said, what is provided at Ballarat by way of head vision is inadequate.

That leaves the side on coverage. I have viewed it repeatedly and I cannot be satisfied to the required level that the relevant incident occurred before the winning post. The blurry head on vision is of no assistance. The television coverage does not make it clear whether the incident occurred before, right on or just past the finishing line. Repeated viewing still leaves me in considerable doubt. In short, the appeal is upheld, and the charge is dismissed.

Mark Howard
Registrar, Victorian Racing Tribunal