10 February 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**DARREN FISHER**

**Date of hearing:** 25 January 2022

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

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

Mr Darren Fisher 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:** Bobby Bull Shark underwent a post-race veterinary examination and was found to have a left carpal sprain and a right calf injury, a 7 day stand down period was imposed.  Stewards spoke to representative, Mrs Simone Fisher regarding the greyhound’s racing manners on the second turn.  Acting under the provisions of GAR 69B (1), Bobby Bull Shark was charged with failing to pursue the lure with due commitment (by reason of injury).  Mrs. Fisher pleaded guilty to the charge, Bobby Bull Shark 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 Darren Fisher concerns the performance of the dog, Bobby Bull Shark, trained by him and which ran in Race 3 over 525 metres at the Meadows on 19 January 2022.

The charge involved is that Bobby Bull Shark failed to pursue the lure with due commitment by reason of injury – in other words, a breach of GAR 69B(1). The Stewards found the charge proved. Bobby Bull Shark must perform a satisfactory trial in accordance with GAR 69B(1) and pursuant to GAR 72 before any future nomination will be accepted. I note that, after the race, Bobby Bull Shark was found to have injuries in the nature of a left carpal strain and a right calf injury. A seven day stand down period was imposed. Mr Fisher is now contesting the charge.

I have viewed the video of the race several times. The dog jumped from the red box and began quickly, going to the lead. It commenced to run wide into the first turn and was quite wide out as it reached the catching pen and into the second turn. In my opinion, for a few strides, it eased visibly. The situation was complicated by the fact that another dog, Emma’s Image, also came out and appeared to interfere with Bobby Bull Shark. However, in my opinion Bobby Bull Shark had failed to pursue with due commitment for a few strides before this happened. Bobby Bull Shark resumed chasing properly in the back straight, before striking further trouble with Emma’s Image on the next turn and effectively being put out of the race.

In my opinion the ingredients of failing to pursue appear to have been made out. Bobby Bull Shark was leading, but it went wide and clearly failed to pursue for a few strides. It was subsequently found to have suffered injury. Thus, the Stewards came to the above conclusion, with which I agree. The appeal is dismissed and the decision of the Stewards stands.

Mark Howard
Registrar, Victorian Racing Tribunal