11 March 2020

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MR GEOFFREY HOWELL**

 **Date of hearing:** 3 March 2020

**Panel:** Judge John Bowman (Chairperson), Magistrate John Doherty (Deputy Chairperson) and Mr Robert Abrahams.

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

Mr Geoffrey Howell represented himself at the hearing.

**Charge:** GAR 69(1)states where, in the opinion of the Stewards, a greyhound is found to have marred another greyhound during an Event, the Stewards shall impose a period of suspension in respect of the greyhound pursuant to sub-rule (2), 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.

**Particulars of charge:** Stewards spoke to Mr G. Howell, the trainer of Miss Eloise regarding the greyhounds racing manners approaching the third turn. Acting under the provisions of GAR 69(1) Miss Eloise was charged with marring. Mr Howell pleaded not guilty to the charge, Miss Eloise was found guilty and suspended for 3 months at all tracks and must perform a Satisfactory Trial (all tracks), pursuant to GAR 69(2)(b) before any future nomination will be accepted.

**Plea:** Not Guilty

**DECISION**

Mr Geoffrey Howell, you have pleaded ‘Not Guilty’ to a breach of Rule GAR 69(1). It relates to an alleged marring offence committed by ‘Miss Eloise’, of which dog you are the trainer. The alleged offence occurred in Race 4 over 515 metres at Sandown on 23 February 2020, and occurred near the third turn. This being the dogs second offence for marring, the penalty imposed was a suspension for 3 months at all tracks.

We have viewed the video many times and looked at the photographs extracted from that video. We appreciate your argument that contact did not occur and that there was no noticeable interference to Psycho Star, the dog on the inside of Miss Eloise.

Unfortunately, we are of the view that Miss Eloise did turn her head and that contact was made with Psycho Star. In our opinion if any doubt may have existed from viewing the video, it is removed by the still photographs, given Miss Eloise turned her head, opened her mouth, and, as can be seen in photograph 3, made contact with Psycho Star. That constitutes marring.

We appreciate what you had to say about the inflexibility of the Rule and the penalties associated with breaches of it. We were pleased to hear from Mr Searle, Chief Stipendiary Steward, that there are discussions on foot with a view to modifying the scale of penalties and effectively reducing them. The marring in this particular case was not great and had no adverse effect upon Psycho Star, which went on to win the race. Indeed, the marring is barely noticeable in the side on video.

However, the Rule and the penalties contribute the present state of affairs. We have considerable sympathy for your position. You have been a professional greyhound trainer for many years and we have no doubt that you are a caring and careful trainer. The penalty in relation to a talented dog such on Miss Eloise is quite a serious one. We can only repeat that the Rule and the scale of penalties have to be applied by us. We encourage the Stewards to continue with discussions that are taking place.

The bottom line is that the marring penalty of 3 months suspension must be applied and the dog therefore must trial to a satisfaction of the Stewards.

Mark Howard
Registrar, Victorian Racing Tribunal