20 July 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**JACK CAMPBELL**

**Date of hearing:** 6 July 2021

**Panel:** Judge John Bowman (Chairperson) and Mr Des Gleeson.

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

Mr Jack Campbell represented himself.

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

Unless Rule 69B otherwise applies, where, in the opinion of the Stewards, a greyhound fails to pursue the lure with due commitment 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 charges: “**Frothy's Jett” underwent a post-race veterinary examination and was found to have abrasions to the left front foot and a spike wound to the right front foot. A 7 day stand down period was imposed. Stewards spoke to Mr Graham Julian, the representative of Frothy’s Jett regarding the greyhounds racing manners approaching the winning post. Acting under the provisions of GAR 69A(1), Frothy’s Jett was charged with failing to pursue the lure with due commitment. Mr Julian pleaded guilty to the charge, was found guilty and suspended for 3 months at all tracks and must perform a Satisfactory Trial in accordance with GAR 69A(2) and pursuant to GAR 72, before any future nomination will be accepted.

**Plea:** Not guilty

**DECISION**

Mr Jack Campbell has appealed against a decision of the Stewards pursuant to Greyhounds Australasia Rule (“GAR”) 69A(1). It involves the dog “Frothy’s Jett”, trained by Mr Campbell, and its behaviour in Race 10 at Geelong on 29 June 2021. Frothy’s Jett ran second, narrowly defeated by “Plausible Dream”.

The Stewards allege that, close to the finishing post, Frothy’s Jett turned its head towards Plausible Dream, thereby establishing that it was not pursuing the lure with due commitment. The penalty imposed was a 90 day suspension.

The matter is more complicated, because this was Frothy’s Jett’s third breach of the Rule. The initial breach was at Warrnambool on 25 March 2021. The dog was also found to be injured on that occasion. Because of that injury, there was effectively no penalty by way of suspension. Nevertheless, this does count as a breach of the Rule.

The second breach was at Ballarat on 21 April 2021 and, in accordance with the Rule, the dog was suspended for 28 days on the usual terms.

In relation to this appeal, we are satisfied that the charge has been made out. Both the video material and the still shots show that Frothy’s Jett noticeably turned its head towards Plausible Dream in the home straight close to, but before, the finishing post. Whether it may have been looking at the lure is not to the point. It clearly turned its head towards Plausible Dream. Thus, we find that the charge has been made out.

Mr Campbell raised some issues concerning the first previous offence at Warrnambool. It may be that he was not fully aware of his right to appeal and was not fully advised concerning it. However, as regrettable as that may be, it does not alter the situation. Firstly, it is a prior breach. Secondly, as pointed out by Mr Searle, because it was a first offence and the dog was injured, it does not count in relation to subsequent penalties.

With or without the existence of the Warrnambool offence, the penalty in this case would be that imposed – a 90 day suspension. There is no argument concerning the Ballarat offence and the 28 day suspension that resulted.

Next, Mr Campbell raised the issue of dogs not being penalised in some instances where similar behaviour had occurred. We can understand that trainers may get annoyed if they see instances of similar behaviour not resulting in charges. That is not really relevant to this charge. However, we understand the importance of consistency, as do the Stewards. Mr Searle is well aware of it and, if requested, will look at two particular races referred to by Mr Campbell. It is an issue into which we will not enter, and we leave that to Mr Searle and his Stewards.

The bottom line is that the appeal is dismissed and the penalty imposed by the Stewards of 90 days suspension and the necessity of trialling satisfactorily remains in place.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal