24 June 2020

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MS JESSICA HAMPSHIRE**

 **Date of hearing:** 15 June 2020

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

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

Mr David Wilcocks appeared on behalf of Ms Jessica Hampshire.

**Charge:** Greyhounds Australia Rule (GAR) 69 (A)(1)states where, in the opinion of the Stewards, unless Rule 69B otherwise applies, 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 charge:** Stewards spoke to Mr David Willcocks, the representative of Big Bash Healy regarding the greyhounds racing manners approaching the winning post. Acting under the provisions of GAR 69(A)(1) Big Bash Healy was charged with failing to pursue the lure with due commitment. Mr. Willcocks pleaded not guilty to the charge, Big Bash Healy was found guilty and suspended for 3 months at all tracks and must perform a Satisfactory Trial (all tracks), pursuant to GAR 69(A)(2)(b) before any future nomination will be accepted.

**Plea:** Not Guilty

**DECISION**

Ms Jessica Hampshire is the trainer of Big Bash Healy, which ran in Race 3 at Healesville on 9 June 2020. The Stewards allege that there was a breach of Rule 69(A)(1) in that Big Bash Healy failed to pursue the lure with due commitment. This was the dog’s second offence of this nature. Accordingly, a penalty of 3 months suspension was imposed and the dog must then trial to the satisfaction of the Stewards before any future nomination will be accepted.

Mr David Wilcocks spoke on behalf of Ms Hampshire. Effectively, he stated that there was no contest but that Big Bash Healy had turned its head and failed to chase with due commitment shortly before the winning post. However, he pointed to the fact that this was a rough and messy race involving charges against at least one other dog and other dogs colliding. Essentially, he was arguing for a warning or for a penalty rather than a suspension.

Mr Paul Searle, on behalf of the Stewards, argued that the turning of the head by the dog constituted failing to pursue the lure with due commitment. He referred to Rule 1. He also argued that, as the dog had previously offended in this way, the penalty imposed by the Stewards was virtually automatic and was appropriate.

I have viewed the video and some still photographs, including head on photographs. In my opinion there is no doubt but that Big Bash Healy turned its head and failed to pursue the lure with due commitment. In this particular case, whilst the head-on video and photography was of poor quality, I am satisfied that the offence occurred close to, but before, the finishing line.

I am not persuaded that a warning or like penalty should be imposed. The penalty for a second offence of this nature is 3 months suspension at all tracks and the dog must perform a satisfactory trial before any future nomination will be accepted. I am satisfied that it is the penalty that should be applied in this case. Accordingly, the appeal is dismissed and the penalty stands.

I would add this. This is the third case recently when the Stewards have been forced to rely upon head on vision that is blurry and well-below first or second class. One case was at Ballarat, the other two at Healesville. In this particular case, it was quite rightly conceded that the offence had occurred and occurred prior to the finishing line. This could be worked out from the video, but it was still far from a top class video. The Stewards have to watch fast run races over short distances, with incidents occurring rapidly. Their task is difficult enough without almost having one hand tied behind their backs due to inadequate video coverage.

Mark Howard
Registrar, Victorian Racing Tribunal