29 December 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**KEVIN TIRCHETT**

**Date of hearing:** 21 December 2022

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

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

Mr Kevin Tirchett represented himself.

**Charge:** Greyhounds Australasia Rule (“GAR”) 123 states:

Where, in the opinion of the Stewards, a greyhound is found to have marred during an Event, the Stewards must impose a period of suspension in respect of the greyhound pursuant to rule 127, which is to be recorded by them as part of the identification record.

**Particulars of charge:** Jesse's Shout marred Queen Regis approaching the winning post. Jesse's Shout underwent a post-race veterinary examination - no apparent injury was reported. Stewards spoke to Mr. Kevin Tirchett, the trainer of Jesse's Shout, regarding the greyhound’s racing manners approaching the winning post. Acting under the provisions of GAR 123, Jesse's Shout was charged with marring. Mr. Tirchett pleaded not guilty to the charge. Jesse's Shout was found guilty and suspended for 28 days at all tracks and must perform a Satisfactory Trial in accordance with GAR 127, and pursuant to GAR 132, before any future nomination will be accepted.

**Plea:** Not Guilty

**DECISION**

Mr Kevin Tirchett, you are the trainer of Jessie’s Shout, which dog has been charged with marring in Race 6 at Healesville on 13 December 2022. Marring is dealt with in GAR 123. The other dog involved was Queen Regis. The alleged marring occurred close to the winning post, the race being a straight race over 350 metres. The Stewards expressed the opinion that Jessie’s Shout was guilty of marring and a suspension of 28 days, with the normal terms imposed. You are appealing against that finding and penalty.

I have viewed the video and material and the still shots many times. It seems clear to me that, approaching the finishing line, Jessie’s Shout and Queen Regis were racing virtually side by side in second and third positions, almost level with each other. I am not of the opinion that Queen Regis turned in or drifted in to any noticeable extent. Jessie’s Shout, which was on the inside of Queen Regis, noticeably moved out and turned its head, making muzzle contact with Queen Regis. The video material and the still photographs demonstrate this. The necessary requirements of marring by Jessie’s Shout have been made out.

I appreciate that this is a disappointing outcome for you. Doubtless your three dogs are an important part of your life. However, the Rule in relation to marring is clear and components of marring prior to the winning post by Jessie’s Shout have been established.

The appeal is dismissed.

Mark Howard

Registrar, Victorian Racing Tribunal