7 October 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**LEONARD JONES**

**Date of hearing:** 5 October 2022

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

**Appearances:** Mr Alex Kitching appeared on behalf of the Stewards.

Mr Leonard Jones 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:** Stewards spoke to trainer Mr Leonard Jones regarding “Patchy Walloper’s” racing manners approaching the winning post. Acting under the provisions of GAR 123, Patchy Walloper was charged with marring. Mr Jones pleaded guilty to the charge, Patchy Walloper was found guilty and suspended for 28 days at Bendigo 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 Leonard Jones has appealed against the decision of the Stewards in relation to the behaviour of the greyhound “Patchy Walloper”, trained by him, in Race 11 at Bendigo on 28 September 2022.

The Stewards found that the dog had breached Greyhounds Australasia Rule (“GAR”) 123, in that it had marred “Donny Rocks” approaching the winning post. Accordingly, Patchy Walloper was suspended for 28 days at Bendigo and must perform a satisfactory trial before any future nomination will be accepted. It is also of note that Patchy Walloper was found in a post-race veterinary examination to have suffered a right toe injury. It would appear that this injury may have been suffered on the turn, when the dog appeared to falter for a stride. However, it finished the race quite strongly, although drifting out near the finishing post.

Mr Jones has argued that Donny Rocks was the cause of the trouble and that his dog was affected by the injury which it had sustained. Its balance suffered accordingly. Further, Donny Rocks was fighting “Cookie Delight” on its outside and was effectively pushed on to his dog. Certainly, the Stewards also found that the performance of Donny Rocks was unsatisfactory. Mr Jones also raised the issue of whether his dog’s involvement in what was occurring was before or after the finishing line. The three dogs certainly finished very close together, with Cookie Delight winning from Patchy Walloper and with Donny Rocks a close third.

I have viewed the video many times. In relation to whether the relevant incident occurred before the finishing line, I am satisfied that it did. Originally, when viewing the side on video of the race, I was less than certain that it had, but when the head-on footage is viewed, and the still photographs, particularly the second head on photograph, examined, it seems clear to me that the relevant incident occurred just before the finishing line.

I am also satisfied that marring by Patchy Walloper did occur. The dog did move outwards, turn its head and make muzzle contact with a dog on its outside. The two head-on photographs show clearly that it moved out and made the muzzle contact which is alleged.

I have some sympathy for Mr Jones, who has raced dogs for something in the vicinity of 60 years and is obviously quite attached to them and to the industry. However, the ingredients of marring have been made out and the appeal is dismissed accordingly.

Kathleen Scully

Assistant Registrar, Victorian Racing Tribunal