11 May 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MELANIE LITHGOW**

**Date of hearing:** 22 April 2021

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

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

Mrs Melanie Lithgow represented herself.

**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:** Gotham Duke underwent a post-race veterinary examination and was found to have a left back muscle injury and a right hamstring injury. A 7 day stand down period was imposed. Stewards spoke to Miss Melanie Lithgow, the trainer of Gotham Duke regarding the greyhound’s racing manners approaching the home turn. Acting under the provisions of GAR 69A(1) Gotham Duke was charged with failing to pursue the lure with due commitment. Miss Lithgow pleaded not guilty to the charge, Gotham Duke was found guilty and suspended for 28 days at The Meadows 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**

This matter concerns an alleged failing to pursue the lure with due commitment. The greyhound involved is “Gotham Duke”, trained by Mrs Melanie Lithgow, who took part in this telephone hearing. Mr Paul Searle represented the Stewards. The race involved is Race 9 at The Meadows on 17 April 2021.

I have viewed the video of the race multiple times. I have also viewed the video of Race 3 at Cranbourne on 6 February 2021 several times. Gotham Duke participated in that latter race and, in fact, won comfortably. Mrs Lithgow wanted to point out that the dog’s racing style was to move off the rail on the home turn.

At The Meadows, Gotham Duke started from Box 8. It led shortly after the first turn. “Time For Peace” was running second approximately a length and a half behind. That margin closed a little approaching the home turn. Gotham Duke clearly lost ground on the home turn. It also moved away from the rails, allowing “King Of Calypso” to go through and kick clear. Gotham Duke then rallied finishing strongly and was beaten by less than a length. There was a margin of almost two lengths to the third dog.

As stated, I have viewed the races many times. I do not regard Gotham Duke’s run at Cranbourne as being of great assistance. True it is that it led in both races, but its movement away from the rails at Cranbourne was much less than what occurred at The Meadows. It is also true that we had no head on vision. At The Meadows, Gotham Duke seemed to reduce speed and move a considerable distance from the rails, leaving plenty of room for the ultimate winner to go through, before finishing powerfully.

I am not satisfied that Time For Peace interfered with Gotham Duke or, in essence, clipped its heels. The decision of the Stewards seems to me to be one that was open to them and I am comfortably satisfied that the Stewards case involving Gotham Duke has been made out. The appeal is dismissed.

Kathleen Scully  
Assistant Registrar, Victorian Racing Tribunal