24 June 2020

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MR TREVOR WHITFORD**

 **Date of hearing:** 15 June 2020

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

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

Mr Trevor Whitford represented himself at the hearing.

**Charge:** Greyhounds Australia Rule (GAR) 69(1)states where, in the opinion of the Stewards, a greyhound is found to have marred another greyhound 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 T. Whitford, the trainer of Retro Reece regarding the greyhound’s racing manners approaching the winning post. Acting under the provisions of GAR 69(1) Retro Reece was charged with marring. Mr Whitford pleaded not guilty to the charge, Retro Reece is suspended for 28 days at Healesville and must perform a Satisfactory Trial (all tracks), pursuant to GAR 69(2)(a) before any future nomination will be accepted.

**Plea:** Not Guilty

**DECISION**

Mr Trevor Whitford, you are appealing against a decision of the Stewards made in relation to Race 1 at Healesville on 5 June 2020. A dog trained by you, Retro Reece, ran second. It is alleged by the Stewards that the dog engaged in marring approaching the winning post. The penalty imposed was that the dog be suspended for 28 days at Healesville and must perform a satisfactory trial before any future nominations will be accepted.

This whole appeal basically is centred upon the available video material. There is no dispute but that Retro Reece at least turned its head, with its mouth open, when challenging the ultimate winner about 50 metres from the finishing line. It may be that a charge of failing to chase may have been established, but, as very fairly pointed out by Mr Searle, such a charge was not laid and what occurred at that point was not to be taken into account.

There is also no dispute but that marring took place in the vicinity of the finishing line. It was a close finish involving the same two dogs. The basic question is whether I can be satisfied that the marring took place before the finishing line. If it did not, the charge fails. The side-on video does not make it clear. The dogs are very close together in the last couple of bounds before and a bound or two after the finishing line. Whether or not marring took place before the finishing line is far from clear.

That leaves the head on video and still photographs extracted from it. Some technological assistance has added an estimate of where it is assumed that the finishing line is, but exactly how that was calculated and added is uncertain. There was no evidence in this regard, which is no criticism Mr Searle. Without those add ons, the position of the finishing line is not clear, and the alleged marring took place in a couple of bounds and almost virtually in a split second.

I cannot be comfortably satisfied that the marring took place before the finishing line.

That is no criticism of Mr Searle or the Stewards. This is the second time in a week that the video material on which they have been forced to rely has proven to be inadequate and unsatisfactory. The other case involved a race at Ballarat, where again the Stewards were forced to work with unclear and unsatisfactory head on vision. Their duties are onerous enough without having to work with inadequate video material and vision, and it is to be remembered greyhound racing is very fast and over comparatively short distances. The Stewards need the assistance of at least adequate vision. The contrast with, for example, the video available in horse racing is very marked.

As stated, I cannot be comfortably satisfied that marring took place before the line and in the last couple of bounds. The appeal is upheld and the charge dismissed.

Mark Howard
Registrar, Victorian Racing Tribunal