11 April 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**WAYNE GRAY**

 **Date of hearing:** 24 March 2020

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

**Appearances:** Mr Andrew Spence appeared on behalf of the Stewards.

Mr Craig Burns represented Mr Wayne Gray at the hearing.

**Charge:** Greyhounds Australasia 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 Wayne Gray, the trainer of Night To Burn regarding the greyhound’s racing manners in the back straight.  Acting under the provisions of GAR 69(1) Night To Burn was charged with marring.  Mr Wayne Gray pleaded not guilty to the charge, Night To Burn was found guilty and suspended for 12 months all tracks and must perform a Satisfactory Trial in accordance with GAR 69(2) and pursuant to GAR 72, before any future nomination will be accepted.

**Plea:** Not Guilty

**DECISION**

This is an appeal brought by Mr Wayne Gray, who is the trainer of the dog Night to Burn, which competed in Racce 10 at The Meadows on 19 March 2022. It is alleged by Stewards that, in the back straight, a breach of GAR 69(1) occurred, namely marring. The other dog involved was Vayda Bale.

I have viewed both the normal speed and slow-motion head-on videos of what occurred in the back straight, and indeed viewed all videos several times.

There had been bumping between these two dogs earlier in the race as they entered the back straight. They were running first and second, with little between them, Vayda Bale being on the inside of Night to Burn. Having viewed the videos, I am quite satisfied that Night to Burn, which was effectively drawing level with Vayda Bale, turned its head and made muzzle contact with that dog. Night to Burn made a distinct movement towards Vayda Bale and clear contact was made. In other words, I am quite satisfied that marring by Night to Burn took place and thus a breach of GAR 69(1) occurred.

I appreciate that this is very disappointing for the connections of Night to Burn, but I am comfortably satisfied that a breach of GAR 69(1) took place. The offence of marring has been proven. The automatic provision of the suspension of Night to Burn will operate.

Mark Howard
Registrar, Victorian Racing Tribunal