31 December 2019

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MS WENDY HUGHES**

**Date of hearing:** 30 December 2019

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

**Appearances:** Mr Cameron Day appeared on behalf of the Stewards.

Mr Craig Hughes (Owner) appeared on behalf of Ms Wendy Hughes (Trainer).

**Charge:** GAR 69A(1)states that 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 charge: (Stewards report)** Gracie Blue was vetted following the event. It was reported that the greyhound sustained an injury to the right back muscle, a 7 day stand down period was imposed. Stewards spoke to Mr Craig Hughes, Handler of Gracie Blue, regarding the greyhound's racing manners in the home straight. Acting under the provisions of GAR 69(A)(1) Gracie Blue was charged with failing to pursue the lure with due commitment. Mr Hughes pleaded not guilty to the charge, Gracie Blue was found guilty and is suspended for 28 days at The Meadows and must perform a Satisfactory Trial (all tracks), pursuant to GAR 69(A)(2)(a) before any future nomination will be accepted.

**Plea:** Not Guilty

**DECISION**

Ms Wendy Hughes, a licenced greyhound trainer, has pleaded ‘Not Guilty’ to a breach of GAR69A(1). She was represented by her husband Mr Craig Hughes, who is also a licenced trainer and the owner of the dog in question. The charge arises out of the running of Race 1 at the Meadows on 21 December 2019. A dog trained by Ms Hughes, namely Gracie Blue, is alleged to have failed to pursue the lure with due commitment during that event. Gracie Blue finished sixth.

I have had the opportunity of viewing such video material as was available. Mr Day, at the outset, said that the side on vision would not be of great assistance and used words to the effect that the Stewards would be placing greater reliance upon the head on vision.

Unfortunately, and despite the best efforts of the Registrar and a staff member with even greater video expertise, the head on vision simply would not operate. Normally the head on vision follows on from the side on vision, but, for some reason, in this instance the head on vision was on an unusable file programme and simply would not play.

That left us with the side on vision and 3 still photographs. Despite viewing the front on vision approximately 4 times, I could get no assistance from it. I agree with Mr Day’s opening remarks, before the failure of the head on vision, that the side on vision revealed very little, if anything.

I agree with Mr Hughes’ submission that the 3 still photographs, whilst head on, are very blurry in relation to the position of the dog’s head. I cannot be comfortably satisfied that they reveal that Gracie Blue turned its head or virtually eased – see the definition section of the GAR Rule.

I appreciate that the Stewards at the time were of the view that Gracie Blue had turned its head close to the finish line and when racing alongside the red dog. These things happen very rapidly. With no head on vision, no assistance from the side on vision and what I regard as inconclusive and blurry photos, there is then an absence of evidence other than the assertion by the Stewards that the dog had turned its head. Mr Hughes asserts to the contrary and, on behalf of Ms Hughes, has pleaded not guilty.

My overall conclusion is that I cannot be comfortably satisfied that the charge has been made out. The appeal is allowed and the charge dismissed.

Mark Howard
Registrar, Victorian Racing Tribunal