6 June 2023

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**RODNEY ASHWORTH**

**Date of hearing:** 31 May 2023

**Panel:** Judge Kathryn Kings (Acting Deputy Chairperson) and Mr Des Gleeson.

**Appearances:** Mr Max Hayden-Evans appeared on behalf of the Stewards.

Mr Rodney Ashworth 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: “**Early Boy” (marred “That's Ivy's” approaching the winning post) underwent a post-race veterinary examination - no apparent injury was reported. Stewards spoke to Trainer Mr Ashworth regarding the greyhound’s racing manners approaching the winning post. Acting under the provisions of GAR 123, Early Boy was charged with marring. Mr Ashworth pleaded guilty to the charge. Early Boy was suspended for 28 days at Sandown only 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 Rodney Ashworth, you are the trainer of “Early Boy” which competed in Race 3 at Sandown Park on 26 May 2023.

Following the event, the Stewards found that pursuant to Greyhounds Australasia Rule (“GAR”) 123, Early Boy was guilty of marring “That’s Ivy” approaching/just prior to the winning post. A post-race veterinary examination of Early Boy was normal.

Your argument on behalf of Early Boy, is that contact was made with That’s Ivy when Early Boy turned its head after the finishing line. You relied upon the side on video of the race. We have viewed that video. We have also viewed the head-on video of the race, and the still photographs of the race relied upon by the Stewards. We have had the benefit of submissions made by you and Mr Hayden-Evans, on behalf of the Stewards.

Despite your very helpful submissions, we find against you and prefer the submissions of the Stewards, as presented by Mr Hayden-Evans. The side-on vision is of limited assistance as the body of That’s Ivy is blocking the view of when head and/or muzzle contact was made by Early Boy.

It is clear from the head-on vision and the still photographs that Early Boy turned its head and made head and/or muzzle contact with That’s Ivy prior to the finishing line.

We are comfortably satisfied that the key ingredients of marring, namely head and/or muzzle contact by Early Boy occurred prior to the finish line and that Early Boy marred That’s Ivy.

The appeal is therefore dismissed.

Kathleen Scully

Assistant Registrar, Victorian Racing Tribunal