8 February 2024

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**COLIN GOODMAN**

**Date of hearing:** 2 February 2024

**Panel:** Justice Shane Marshall (Deputy Chairperson) and Ms Maree Payne.

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

Mr Colin Goodman represented himself.

**Charge:** Greyhounds Australasia Rule (“GAR”) 124 states:

(1) Subject to rule 125, where, in the opinion of the Stewards, a greyhound fails to pursue the lure during an Event, the Stewards must impose a period of suspension in respect of the 60 greyhound pursuant to rule 127, which is to be recorded by them as part of the identification record.

**Particulars:** Stewards spoke to Trainer Mr Colin Goodman regarding Flying Speed’s racing manners in the home straight. Acting under the provisions of GAR 124, Flying Speed was charged with failing to pursue the lure with due commitment. Mr Goodman pleaded guilty to the charge. Flying Speed was found guilty and suspended for three months all tracks and must perform two Satisfactory Trials in accordance with GAR 127, and pursuant to GAR 132, before any future nomination will be accepted.

 **Plea:** Guilty

**DECISION**

1. Mr Colin Goodman is a registered greyhound trainer and the trainer of the greyhound Flying Speed. Flying Speed competed in Race 6 at Bendigo on 24 January 2024. After the race, Stewards of Greyhound Racing Victoria (“GRV”) charged the greyhound with the offence of failing to pursue the lure with due commitment, contrary to Greyhounds Australasia Rule (“GAR”) 124. That rule provides that, so far as is material, “where in the opinion of the Stewards, a greyhound fails to pursue the lure during an Event, the Stewards must impose a period of suspension, in respect of the greyhound pursuant to rule 127”. Mr Goodman, on behalf of the greyhound, pleaded guilty to the charge laid on 24 January 2024. The Stewards imposed a penalty of 3 months suspension.
2. GAR 127 sets out the penalties which must be imposed on greyhounds for failing to pursue the lure or for marring. Under GAR 127(a), a first offence will result in a penalty of a 28 day suspension at the track where the offence occurred and the completion of a satisfactory trial.
3. Under GAR 127(b), a second offence will incur a 28 day suspension at all tracks and the completion of a satisfactory trial.
4. Under GAR 127(c), a third or subsequent offence will result in a 3 month suspension and the requirement to complete two satisfactory trials.
5. All such penalties are to be noted by GRV on an “identification record” in respect of each greyhound.
6. GAR 128(1) provides that if an endorsement is made, amongst other things, on a greyhound’s identification record for a beach of GAR 124 and the greyhound subsequently competes in at least 10 events without breaching that rule or the rules against marring, the endorsement of the record will be cancelled, but only once such cancellation is permitted.
7. Flying Speed is recorded as having raced at Ballarat on 31 May 2023. The greyhound was charged with failing to pursue the lure with due commitment. The penalty is recorded as zero days suspension. That is because GAR 125 applied, as the greyhound was injured during the event. The Stewards do not rely on this matter as a first offence.
8. Flying Speed is recorded as having raced at Healesville on 30 July 2023. The greyhound was found guilty of failing to pursue the lure with due commitment. GRV Stewards imposed a penalty of 28 days at Healesville. This is the penalty for a first offence.
9. Flying Speed is next recorded as having breached GAR 124 at Bendigo on 6 October 2023. A penalty of 28 days at all tracks was imposed. This is indicative of a second offence. This is a penalty for a second offence.
10. On 24 January 2024, the GRV Stewards imposed a penalty of 3 calendar months, this being the penalty for a third offence.
11. Mr Goodman has appealed against the severity of the sentence.
12. The way the Rules apply gives the Stewards no discretion. Mr Goodman’s complaint was about the severity of the rule providing for a 3 month penalty. However, the current penalties have been ameliorated since May 2022. Otherwise, the greyhound would have been facing a 12 month penalty.
13. In all the circumstances we have no option but to dismiss the appeal. The appeal is dismissed.

Mark Howard

Registrar, Victorian Racing Tribunal