30 May 2024

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**KATE GORMAN**

**Date of hearing:** 17 May 2024

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

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

Ms Kate Gorman represented herself.

**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:** Volkanovski (turned head outwards and marred Ounce Of Luck on the home turn) underwent a post-race veterinary examination - no apparent injury was reported. Stewards spoke to kennel representative Mr. Matthew Bright regarding Volkanovski's racing manners on the home turn. Acting under the provisions of GAR 123, Volkanovski was charged with marring. Mr. Bright pleaded not guilty to the charge. Volkanovski was found guilty and suspended for 28 days at Sandown 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**

Ms Kate Gorman, you are the trainer of Volkanovski, which competed in Race 7 at Sandown on 13 May 2024. Following the race, the Stewards found that there had been a breach of GAR 123 and that marring, as defined in GAR 9, had occurred on the home turn. The dog was penalised as a result.

You entered an appeal in relation to that finding, essentially asserting that the dog’s muzzle had become caught in the rug of the dog to its outside, namely Out of Luck.

During the hearing, you become aware of some further still shots extracted from the video. These had been forwarded to you by Mr Paul Searle on behalf of the Stewards, but you were unaware of their existence and had only examined the video and what could be described as still shot number one.

Having familiarised yourself with all the material, very sensibility you effectively withdrew the appeal. I can appreciate that, if you had looked only at photograph number 1 and the video replays, you may well have had some concerns as to the circumstances of the Charge.

Not that it helps your situation, but it is hard not to have some sympathy for you in all the circumstances. Volkanovski has been a very good dog for you. On this occasion, it was taking a run between Poholke and Ounce of Luck. It certainly looked as if Volkanovski was on its way to a win. Poholke moved off its line and closed the gap which your dog was taking between it and Out of Luck.

As I observed during the hearing, if this were a horse race with jockeys, the rider of Poholke would have been in a certain amount of trouble for careless riding, having closed the gap on Volkanovski and taken its running.

That is little consolation. The bottom line is that, having been squeezed in this way, your dog did turn its attention to Out of Luck and marring did occur.

I appreciate the very common sense approach which you have adopted once you became familiar with all the material.

According, your appeal is, in effect, dismissed, although a more accurate description might be that it is withdrawn. The penalty imposed by the Stewards remains in place.

Mark Howard

Registrar, Victorian Racing Tribunal