

TASMANIAN RACING APPEAL BOARD

Appeal No 04 of 2017/18

Panel:	Kate Brown (Chair) Wendy Kennedy Sue Martin	Appellant:	Graeme Barber
Appearances:	David Farquharson and John Zucal for the Stewards	Rules:	Greyhounds Australasia Rule 69A
Heard at:	Launceston	Penalty:	28 days stand down of “Enfield Pete” and satisfactory trial
Date:	6 October 2017	Result:	Upheld

REASONS FOR DECISION

1. On the 6th of October 2017, the Tasmanian Racing Appeal Board (the “TRAB”) heard an appeal by Graeme Barber filed on the 12th September 2017. The appeal arose out of a charge found proved by Stewards at a race meeting on the 11th of September; the charge alleging that Enfield Pete had failed to pursue the lure in the back straight contrary to GAR 69A.
2. The penalty imposed was that Enfield Pete was stood down for 28 days and required to complete a satisfactory trial prior to returning to the track. While much of the 28 day period had passed prior to the hearing of the appeal, the appellant submitted that the consequences of the conviction set out in GAR69A(2) were significant, and that the real impact of the penalty was contained therein.
3. The Appellant’s case was that Enfield Pete had been marred by Fernando Gold for a significant period prior to the point at which Enfield Pete turned away from the lure, and that there was a continuing course of events that culminated with Enfield Pete turning towards Times A Bonus.
4. The Stewards contended that the interplay between Enfield Pete and Fernando Gold was a separate incident to that between Enfield Pete and Times A Bonus.
5. The Board reviewed the footage from all relevant angles and heard the submissions of both parties. It formed the view that that there was a continuing course of events rather than two separate incidents and the reaction of Enfield Pete to Times A Bonus could not be separated out from what had occurred immediately beforehand.
6. Accordingly the appeal as to conviction (and therefore penalty) was Upheld and the decision, the subject of the appeal, was quashed.
7. Pursuant to s.34(2) the Board orders that the prescribed deposit be refunded in full to the appellant.