

**DECISION ON AN INTERNAL REVIEW APPLICATION UNDER  
SECTION 91 OF THE *GREYHOUND RACING ACT 2017***

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| Matter for determination         | Decision dated 9 March 2024  |
| Applicant                        | Mr Mark Craig  |
| Internal review decision date    | 22 March 2024  |
| Internal review decision by      | Mr Matthew Tutt, Director, Legal and Policy  |
| Internal review decision summary | To confirm the decision of the stewards to issue an endorsement for Failing to Pursue (third offence) on Mr Craig's greyhound "Raven Nighthawk". |

**REASONS FOR DECISION**

1. These are the reasons for decision following an application by Mr Mark Craig for internal review under the *Greyhound Racing Act 2017* ("**Act**") of a decision of the Commission on 9 March 2024.
2. The decision of the Commission was made by Stewards who determined to issue an endorsement under Rule 127 (c) on the greyhound "Raven Nighthawk," which is owned and trained by Mr Craig.
3. This is a reviewable decision within the meaning of section 91(1) of the Act. As I was not substantially involved in making the reviewable decision, I have dealt with this application.
4. Under section 91(7) of the Act, an internal reviewer is empowered to:
  - Confirm the reviewable decision the subject of the application; or
  - Vary the reviewable decision; or
  - Revoke the reviewable decision.

**Background**

5. "Raven Nighthawk" competed in Race 10 at Wentworth Park on 9 March 2024.
6. Stewards in charge of the meeting had concerns regarding the greyhound's actions during the race and conducted an inquiry. Stewards had particular concerns as the greyhound appeared to turn its head inward and make contact with another greyhound in the race, "Super Aussie".
7. A post-race veterinary examination revealed that Raven Nighthawk was suffering from right fore shoulder and wrist soreness, and a 14 day incapacitation period was issued.

8. Stewards reviewed footage of the race and interviewed Mr Craig.
9. After reviewing all the available evidence and considering Mr Craig's submissions, Stewards issued an endorsement under Rule 127 (c), which reads:

**127 Period of suspension to be imposed for marring or failing to pursue**

Subject to rule 125, where, in the opinion of the Stewards, a greyhound is found to have marred or failed to pursue the lure during an Event the Stewards must impose a period of suspension in respect of the greyhound, which is to be recorded as part of the identification record as follows:

- (a) in the case of a first offence, 28 days at the track where the offence occurred and until the completion of a satisfactory trial; or
  - (b) subject to rule 128, in the case of a second offence, 28 days at all tracks and until completion of a satisfactory trial; or
  - (c) in the case of a third or subsequent offence, three months at all tracks and until the completion of two satisfactory trials.
10. As Raven Nighthawk had been issued with endorsements under R127 on two previous occasions, R127 (c) applies. As a result, the greyhound was suspended from racing at all tracks for a period of three months and required to pass satisfactory trials before resuming racing.

### **The internal review application**

11. On 11 March 2024, Mr Craig lodged an application for internal review of the decision made by the Stewards.
12. In support of his application, Mr Craig provided written submissions and a number of still photographs from footage of the race in question.
13. In his submissions, Mr Craig states that Raven Nighthawk has never failed to pursue while he has trained the greyhound. Mr Craig has trained Raven Nighthawk since January 2024.
14. In his submissions, Mr Craig emphasises that the available video evidence is inconclusive in relation to the greyhound's actions during the race.

### **Decision**

15. In considering Mr Craig's application for internal review, all the available evidence has been considered, including video footage of the relevant race and all submissions.
16. On close examination of the video footage, it is clear that Raven Nighthawk turns its head toward another runner, Super Aussie, which was racing to the inside of Raven Nighthawk on multiple occasions in the home straight. Raven Nighthawk also makes contact with Super Aussie. Failing to pursue occurs when a greyhound turns its head, visibly eases, or fails to pursue the lure with due commitment, during the running of the event.

17. On review of the same footage available to the stewards it is apparent that Raven Nighthawk turns its head inward and toward another runner. At the same time Raven Nighthawk made contact with the runner to its inside. In doing so, Raven Nighthawk also fails to pursue the lure with due commitment. The conduct of Raven Nighthawk satisfies the definition in the rules.
18. The video footage is more persuasive than the still shots provided by Mr Craig. The video footage was considered in detail by stewards at the inquiry on the night of the race.
19. For these reasons, the decision of Stewards to impose an endorsement under R127 (c) was the correct decision on the information and evidence available.
20. Accordingly, the original decision is confirmed.

Mr Matthew Tutt  
**Director, Legal and Policy (General Counsel)**

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