

**DETERMINATION AND REASONS FOR DETERMINATION
OF THE RACING PENALTIES APPEAL TRIBUNAL**

APPELLANT: Christopher William HALSE

APPLICATION NO: A30/08/796

PANEL: MR D MOSSENSON (CHAIRPERSON)

DATE OF HEARING: 2 February 2017

DATE OF DETERMINATION: 2 February 2017

DATE OF REASONS: 2 February 2017

IN THE MATTER OF an appeal by Mr C W HALSE against the determination made by Racing & Wagering Western Australia Stewards of Greyhounds Racing on 28 January 2017, imposing a suspension of 28 days for breach of Rule 69 of the Racing & Wagering Western Australia Rules of Greyhound Racing.

Mr C W Halse represented himself.

Mr D Borovica appeared for the Racing and Wagering Western Australia Stewards of Greyhound Racing.

I have read the transcript carefully and have now had the opportunity of viewing the video of the race. I have heard the respective submissions from both parties and also been armed with the material which Mr Borovica handed up, being a plan of the track showing the position of the steward who gave the evidence in relation to the finish line, as well as four photos of the greyhounds at or near the finish of the race.

I am conscious of the fact that the rule in question the subject of this appeal contains the phrase "in the opinion of the stewards". That places a very difficult onus on any appellant because in order to succeed in such an appeal, it is necessary to persuade the tribunal that no reasonable body of stewards, armed with all of the relevant information, could have reasonably come to the conclusion which the stewards in question did.

Whilst I appreciate that Mr Halse has expressed his very sincere personal opinion regarding the position of the dogs, in relation to the finish line, it is clearly the case that the steward watching the race live in the observation tower did have the best opportunity to observe what took place. That steward was in fact Mr Martins, the chief steward who has a great deal of experience in greyhound racing. Mr Martins gave clear and unequivocal evidence that this dog did marr during the course of the race. The adjudicating stewards, after receiving all of the evidence, reached the unanimous conclusion that marring did in fact occur. There is nothing that has been presented before me to persuade me to any other conclusion, or to form any other opinion as to the inappropriateness of the decision that the stewards have made.

In those circumstances, I have no alternative but to dismiss the appeal.

Dan Mossenson DAN MOSSENSON, CHAIRPERSON

