1 September 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**EMILY AZZOPARDI**

**Date of hearing:** 1 September 2022

**Panel:** Justice Shane Marshall (Chairperson).

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

Ms Emily Azzopardi 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 of charge:** Trevor's Gift underwent a post–race veterinary examination and was found to have a sore monkey muscle. A 10 day stand down period was imposed. Stewards spoke to Ms Emily Azzopardi regarding Trevor's Gift’s racing manners on the home turn. Acting under the provisions of GAR 123 Trevor's Gift was charged with marring. Ms Azzopardi pled not guilty to the charge, Trevor's Gift was found guilty and suspended for 28 days at Geelong 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**

1. Mr Emily Azzopardi is a registered greyhound trainer and the trainer of the greyhound Trevor’s Gift. Trevor’s Gift competed in race 7 at Geelong on 26 August 2022 (“the event”).
2. The race was extremely roughly run, with a lot of interference occurring to several greyhounds. After the event Stewards spoke to Ms Azzopardi about the racing manners of Trevor’s Gift on the home turn during the event.
3. After the race Trevor’s Gift underwent a post-race veterinary examination and was found to have a sore monkey muscle. A ten day stand-down was imposed.
4. Stewards laid a charge under Greyhounds Australasia Rule (“GAR”) 123 in respect of Trevor’s Gift. Under GAR 9 (the definition rule in the GAR’s) Marring: “means the act of a greyhound which turns its head and makes head or muzzle contact with another greyhound”.
5. Ms Azzopardi pleaded not guilty to the charge. The Stewards decided that the alleged marring had occurred and suspended Trevor’s Gift for 28 days at Geelong and until the completion of a satisfactory trial.
6. The question for the Tribunal to determine on appeal is whether the decision of the Stewards was open to them. That follows from the words of GAR 123 which states that “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.
7. To answer that question the Tribunal viewed the replay of the race, including in slow motion. That vision shows that on entering the home straight Trevor’s Gift veered to the right and made muzzle contact with the greyhound immediately to Trevor’s Gift’s outside. The Stewards also tendered still photographs demonstrating the point of contact. The Tribunal considers that not only was the decision of the Stewards open to them but that it was the correct decision. The appeal is dismissed.

Mark Howard

Registrar, Victorian Racing Tribunal