2 March 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**JEFF GORGIOSKI**

**Date of hearing:** 15 February 2022

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

**Appearances:** Mr Andrew Spence appeared on behalf of the Stewards.

Mr Jeff Gorgioski represented himself.

**Charge:** Greyhounds Australasia Rule (“GAR”) 69B(1) states:

(1) Where, in the opinion of the Stewards, a greyhound fails to pursue the lure with due commitment for the first time only then it shall be examined by the officiating veterinary surgeon or authorised person at the meeting and

(a) if found to be injured, it shall be suspended until the completion of a satisfactory trial, and the specifics shall be recorded in the relevant Controlling Body Register, or where applicable, the Certificate of Registration or Weight Card of the greyhound.

(b) if found not to be injured, then the provisions of Rule 69A shall apply.

**Particulars of charge:** Audenzia underwent a post-race veterinary examination and was found to have a right calf injury, a 5 day stand down period was imposed.  Stewards spoke to trainer, Mr Jeff Gorgioski regarding the greyhounds racing manners on the home turn.  Acting under the provisions of GAR 69B (1), Audenzia was charged with failing to pursue the lure with due commitment (by reason of injury).  Mr Gorgioski pleaded not guilty to the charge, Audenzia was found guilty and must perform a Satisfactory Trial in accordance with GAR 69B (1) and pursuant to GAR 72, before any future nomination will be accepted.

**Plea:** Not guilty

**DECISION**

This appeal by Mr Jeff Gorgioski concerns the performance of the dog, Audenzia, trained by him and which ran in Race 10 over 600 metres at the Meadows on 9 February 2022.

The Charge involved is that Audenzia failed to pursue the lure with due commitment by reason of injury. That is an alleged breach of GAR 69B(1). The Stewards found the charge proved. Audenzia must perform a satisfactory trial in accordance with GAR 69B(1) and pursuant to GAR 72 before any future nomination will be accepted. After the race at the Meadows, Audenzia was found to have a right calf injury. A five day stand down period was imposed. Mr Gorgioski is now contesting the Charge.

I have viewed the video of the race multiple times. I have also had the benefit of looking at two still shots extracted from the video by Mr Gorgioski and forwarded as part of his submissions.

Having viewed the video, I would make the following observations. Audenzia, who started from box 4, was not the best to begin, but made ground in the home straight on the first time and after leaving the straight. It met with some interference from the “one” dog on turning into and entering the back straight. It was third approaching the turn out of the back straight. It went to the outside of the “two” dog, which was leading. It headed that dog. In my opinion, it definitely looked the winner. However, it then dropped back to approximately fifth entering the home straight, before running on in normal fashion to finish third. In my opinion it was racing again in normal fashion and clearly made ground.

A veterinary examination after the race revealed a right calf injury and a five day stand down period was imposed.

Mr Gorgioski states that he has viewed the video many, many times and extracted two still shots from it. He says to quote him, “the dog is no superstar”.

His argument is that on the turn it moved up on the outside of the “two” dog and in fact headed it and engaged in a bumping dual with that dog. His dog was trying to get to the rail and the two dog was trying to get away from it. His dog came off second best for a couple of strides. It then resumed racing truly, although tiring, and passed a couple of dogs tiring even more.

I appreciate the effort that Mr Gorgioski has put into the presentation of his case, but I am afraid I am against him. It seems to me that the dog strode to the lead and looked the winner. It then put in a couple of noticeably shorter strides, dropped back to approximately fifth, before striding normally again and improving to finish third. In my opinion, any interference which it suffered from the two dog was not significant and occurred after Audenzia had commenced to ease or not pursue the lure with due commitment, before chasing properly again.

In short, I am comfortably satisfied that the charge has been proven and the appeal is dismissed.

Mark Howard
Registrar, Victorian Racing Tribunal