31 October 2019

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MR PIETER SMOOR**

**Date of hearing:** 31 October 2019

**Panel:** Judge John Bowman (Chairperson), Justice Shane Marshall (Deputy Chairperson) and Judge Julie Nicholson.

**Appearances:** Mr Ron Matthews appeared on behalf of the Stewards.

 Mr Pieter Smoor represented himself at the hearing.

**Charge:** GAR 69A(1)Unless Rule 69B otherwise applies, where, in the opinion of the Stewards, a greyhound fails to pursue the lure with due commitment during an Event, the Stewards shall impose a period of suspension in respect of the greyhound pursuant to sub-rule (2), 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.

**Particulars of charge:** Stewards spoke to Mr Pieter Smoor, the trainer of Zipping Storm regarding the greyhound’s racing manners on the first turn. Acting under the provisions of GAR 69(A)(1) Zipping Storm was charged with failing to pursue the lure with due commitment. Mr Pieter Smoor pleaded not guilty to the charge, Zipping Storm was found guilty and suspended for 3 months at all tracks and must perform a Satisfactory Trial (all tracks), pursuant to GAR 69(A)(2)(b) before any future nomination will be accepted.

**Plea:** Not Guilty

**DECISION**

1. Mr Pieter Smoor is a registered greyhound trainer and the trainer of the greyhound “Zipping Storm”. The greyhound raced in race 9 at Bendigo on 18 October 2019. Stewards charged the greyhound under Greyhounds Australasia Rule (“GAR”) 69A(1) with failing to pursue the lure with due commitment.
2. “Failing to pursue” is defined in GAR1 as “when a greyhound turns its head or eases visibly during the running of an event”.
3. The greyhound was found guilty by the Stewards. The trainer has appealed to the Tribunal from that decision. The question for the Tribunal to determine on the appeal is whether the decision of the Stewards was open to them. To answer that question, we viewed the video replay of the race. Stewards contend that the greyhound turned its head on the first turn. The video evidence shows that Zipping Storm turned her head on the first turn. We have also been provided with photographic evidence of the greyhound turning her head.
4. Mr Smoor said that the turning of the head was caused by interference. We saw no evidence of that on the video replay. He also raised the question of muzzle damage. However, we are unable to determine how that happened. In any case we observed the greyhound to pursue the lure before and after turning her head.
5. In the circumstances we consider that the decision of the Stewards was open to them. We dismiss the appeal.

Mark Howard
Registrar, Victorian Racing Tribunal