29 November 2024

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**GERRY ORR**

**Date of hearings:** 8 November 2024 and 13 November 2024

**Date of decision:** 20 November 2024

**Panel:** Judge John Bowman (Chairperson) and Mr Des Gleeson.

**Appearances:** Ms Amara Hughes appeared on behalf of the Stewards.

Mr Gerry Orr represented himself.

**Charge:** Local Racing Rule (“AHRR”) 66.1 states:

66.1 Where in the opinion of the Stewards:

66.1.1 there is prima facie evidence that a registered person has:

66.1.1.1 breached the Local Rules; or

66.1.1.2 has committed an offence pursuant to Part 9 of the GARs; and

66.1.2 it is necessary to make a decision immediately in respect of the matters referred to in LR 66.1.1 in order to protect the integrity of the sport of greyhound racing;

the Stewards may immediately suspend that person.

**RULING**

Mr Gerry Orr, you are facing a number of charges. One set of charges involves an attempted rehoming of greyhounds and your behaviour in that regard. It is asserted that you have engaged in the false rehoming of three greyhounds and ultimately surrendered these dogs to a local council pound. That is a very brief summary of what is alleged.

The other set of charges concerns permanently banned substances. These are disputed, but their existence arguably bears upon the present application in relation to the stay.

For the purpose of the stay application and the two sets of charges, it is agreed that they are all part of the one matter. Pursuant to Local Rule 66.1, the Stewards imposed on you an immediate suspension. This came into effect on 31 October 2024. You applied for a "Stay of Proceedings", with the grounds set out in Form 1. This constitutes an appeal pursuant to section 50K of the Racing Act 1958. Whilst it is a little confusing, the grounds set out appear largely to relate to the attempted rehoming of the three greyhounds.

On 8 November 2024 and 13 November 2024, these matters came on for hearing before us, not a hearing of the merits, but in order to check progress and, if possible, make arrangements for a hearing date. The request for a stay was also to be considered and was so considered.

In our opinion, the immediate suspension pursuant to Local Rule 66.1 was justified. On the basis of the material before us, we are not going to interfere with it. We are of the opinion that such immediate suspension by the Stewards is warranted. That is in no way a prejudging of the charges, but they are serious charges. Given their serious nature and the background of events, particularly the alleged false rehoming of the dogs and their surrender to the pound, we are not persuaded that the immediate suspension ought be modified.

We shall fix the matter for hearing. After some discussion with the parties, we have fixed the commencement date of the hearing for both sets of charges at 10.00am on 11 February 2025. We have allocated three days for such hearing. Given the nature of the charges and the estimated duration of the case, it seems to us to be appropriate for the hearing to be conducted in person. The hearing shall in all probability be conducted at the Tribunal's usual location in Exhibition Street, Melbourne, but more precise details will be supplied prior to the hearing date.

If any problems are encountered in the meantime, the Registry should be contacted.

Mark Howard

Registrar, Victorian Racing Tribunal