

**DECISION ON AN INTERNAL REVIEW APPLICATION UNDER
SECTION 91 OF THE GREYHOUND RACING ACT 2017**

Matter for determination	Decision dated 13 December 2024 of Steward Geoff Page
Internal review decision date	28 January 2025
Internal review decision by	Zane Turner, Senior Steward
Internal review decision summary	Confirm decision of 13 December 2024 to issue a fine to Mr David Smith of \$400.00

REASONS FOR DECISION

1. These are the reasons for decision following an application by Mr David Smith for internal review under the *Greyhound Racing Act 2017* (“**Act**”) of a decision of Steward Geoff Page of the Greyhound Welfare & Integrity Commission (“**Commission**” or “**GWIC**”) made on 13 December 2024. That decision was to impose a fine of \$400 for a breach of Rule 101(3)(b).
2. This is a reviewable decision within the meaning of section 91(1) of the Act. As I was not substantially involved in making the reviewable decision, I have dealt with this application.
3. Under section 91(7) of the Act, an internal reviewer is empowered to:
 - Confirm the reviewable decision the subject of the application; or
 - Vary the reviewable decision; or
 - Revoke the reviewable decision.

Background

4. On 13 December 2024, trainer Mr David Smith was suffering from a medical illness and was unable to attend the race meeting at Goulburn on the same day.
5. In his absence, Mr Smith engaged a friend, who is a registered attendant, to handle the greyhound “Cool Story” (“**Greyhound**”), which was trained by Mr Smith, at the Goulburn race meeting on 13 December 2024.
6. On 13 December 2024, the Greyhound was presented for kennelling to compete in Race 8 at the Goulburn race meeting.
7. The Greyhound was presented for kennelling at 34.0 kilograms.
8. The Greyhound last competed in Race 8 at the Goulburn race meeting on 9 December 2024, where the weight of the Greyhound was 32.7 kilograms.
9. As the Greyhound was presented for kennelling with a weight variation of 1.3 kilograms, the Stewards scratched the Greyhound from the event and imposed a 10-day incapacitation period.

10. On 13 December 2024, Stewards charged Mr Smith with a breach of Rule 101(3)(b), which reads:

101 Weight Variation

(1) If the weight of a greyhound varies by more than 1.0 kilogram from the weight recorded in an Event or satisfactory trial in which it last performed, the greyhound must not compete in the Event unless the Stewards grant permission for it to do so pursuant to subrule (2) of this rule.

...

(3) If a greyhound is not permitted to compete in an Event as a result of a breach of subrule (1) of this rule:

(b) the trainer is guilty of an offence.

11. Mr Smith was issued a fine of \$400.00.

The internal review application

12. On 05 January 2025, Mr Smith lodged an application for internal review. The internal review has been conducted on the papers.

13. Mr Smith is not seeking an internal review against conviction/guilt.

14. Mr Smith is seeking an internal review against the penalty imposed.

15. In his application, Mr Smith submitted that:

- a. On 13 December 2024, he was seriously ill;
- b. As a result, he sent a friend to handle the Greyhound in his absence so it wouldn't get scratched;
- c. The Greyhound was not transported in Mr Smith's usual air-conditioned trailer and on the day, it was 37 degrees;
- d. As the welfare of the Greyhound was paramount, the Greyhound was given extra fluids;
- e. The handler took wrong directions en route to the race meeting and arrived at the end of kennelling and did not empty the Greyhound;
- f. As Mr Smith was bedridden, he was trying to do the right thing;
- g. A fine of \$400 was issued for a race worth \$775 to the winner.

Decision

16. In considering this internal review, I have had regard to the following:

- a. Internal Review application from Mr Smith containing written submissions;
- b. A medical certificate provided by Mr Smith;
- c. The Notice of Disciplinary Action, Reference no 7212, dated 13 December 2024;
- d. Mr Smith's disciplinary record, which indicates that this is the fifth breach of the same rule since 27 February 2024;
- e. The breakdown of prizemoney for race 8 at Goulburn on 13 December 2024, which shows total prizemoney of \$3110, with \$1975 to the winner.

17. In accordance with section 91(7)(a) of the Act, having reviewed all of the material, I confirm the original decision made by Steward Geoff Page on 13 December 2024.

Zane Turner
Senior Steward

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