

NZ Metro TC 31 January 2020 - R 3 - Chair, Mr S Ching

Rules:

[507\(1\)](#)

Name(s):

Mr M Hurrell - Junior Horseman

Charge:

Facts:

admitted

Following the running of Race 3, an information was filed by Chief Stipendiary Steward Mr N Ydgren against Junior Horseman Mr M Hurrell, alleging a breach of Rule 507(1) in that he broke a driving engagement for PATS DRAGON.

Mr Hurrell had indicated on the Information that this breach of the Rules was admitted which he confirmed at the hearing. Mr Hurrell also confirmed he understood the rule he was being charged with.

Rule 507(1) provides as follows;

No driver shall break an engagement to drive in a race.

Mr Ydgren gave evidence that Mr House, trainer of PATS DRAGON, had engaged Mr Hurrell to drive the horse in Race 3 tonight, the Junior Drivers event. He said Mr Hurrell committed to the drive and confirmed it by text message. Mr Ydgren stated that Mr Hurrell then reneged on that agreement when a horse of Regan Todd's, ELO LOUISE, became available to drive and to which he engaged himself. Mr Hurrell, he said, disengaged himself from the drive on PATS DRAGON by sending a text to Mr House. Mr Ydgren stated that that was when the engagement to PATS DRAGON was broken. He said Mr House was left in a difficult position as he was left with not a lot of choice to replace Mr Hurrell, as the driver for PATS DRAGON.

Mr Hurrell stated that Mr Todd had always been good to drive for and ELO LOIUSE was a better drive in the race. He added he was looking to the future with drives for Mr Todd.

Decision:

As Mr Hurrell had admitted this breach of the Rules it was found to be proved in accordance with Rule 1111(1)(d).