

RACING APPEALS TRIBUNAL

RAT 18/17

DATE: FRIDAY, 16 JUNE 2017

TRIBUNAL: **PRESIDENT:** MR T ANDERSON QC

MS LISA MICHALANNEY, GRSA STEWARD,
GREYHOUND RACING SA LTD APPEARS FOR
STEWARDS

APPELLANT: MR W VERRALL

IN THE MATTER of an Appeal by **WAYNE VERRALL** against a decision of
Greyhound Racing SA Ltd Stewards

BREACH OF RULE: GAR 86(ah), which states:

“A person (including an official) shall be guilty of an offence if the person –
being a registered person or person associated with greyhound racing,
associates with a disqualified person for the purposes of greyhound
racing”.

PENALTY: 3 MONTHS DISQUALIFICATION

DETERMINATION

The Appellant is a licensed person with Greyhound Racing SA Ltd and appeals against the severity of a penalty, being a 3 months disqualification, imposed by GRSA.

On 11 May 2017 GRSA Stewards began an inquiry into the bona fides of the ownership and the training of the greyhound ‘Rosco Fields’.

That inquiry continued and concluded on 17 May 2017.

During the Inquiry it was established by the Stewards that the Appellant had been associating with and in communication with a person who was at the time of association, disqualified by GRSA.

Such association is prohibited under GAR 86(ah).

During the Inquiry the Appellant was not co-operative with the Stewards and in fact his behaviour could be described as evasive and disrespectful.

However, at the conclusion of an extensive inquiry, the Appellant admitted his association and communication with the disqualified person.

It is to be noted that in addition to the matter before this Tribunal, the Appellant was also charged by the Stewards with:

- a breach of Rule 86(d), 'making a false or misleading statement in relation to an investigation', for which he was fined \$400.00
- a breach of Rule 86(e), 'failing to produce a document or other thing (in this case his mobile phone and its records) in relation to an investigation', and was fined a further \$400.00.

While those two fines were not the subject of the appeal, nor did the Tribunal have jurisdiction to hear any appeal against them had it been lodged, they are relevant to the order that I will subsequently make in this matter.

At the Tribunal hearing the Appellant was represented by Mr Ray Fewings.

Mr Fewings submitted that the Appellant's association with the disqualified person went further than any communications regarding the dog 'Rosco Fields'.

Mr Fewings submitted that the association was part of a very lengthy friendship and in fact the disqualified person was a great support to the Appellant who, according to medical specialists, relied on his participation in greyhound racing and associating with close friends for his ongoing well-being.

The Tribunal was provided with specialist medical reports to this effect.

Mr Fewings submitted that the Appellant was now contrite regarding his behaviour at the Stewards Inquiry and would abide by any decision handed down by this Tribunal.

In considering this matter I have come to the view that the three-month disqualification should remain, but I am prepared to suspend one month of that provided Mr Verrall enters into an agreement or bond, whatever we like to call it, which requires him to pay

the fines imposed by GRSA within 14 days and to be of good behaviour for a period of two years.

Any behaviour such as that displayed at the Stewards Inquiry or any abuse of the Stewards or disrespect for their authority would be regarded as a breach of the bond.

The Tribunal notes that at the Tribunal hearing the Appellant agreed to the terms of the bond.

It is the normal practice of this Tribunal to order the refund of the applicable portion of the bond money lodged with an appeal lodged in good faith. However, in this matter I note the extra-ordinary expense incurred by GRSA as a result of the Appellant's behaviour and order that the full amount of the bond lodged by the Appellant be forfeited to GRSA.