

Friday, January 17, 2025

Stewards' Notice

Stewards' Inquiry

Decision of Inquiry – Mr A Nobes

On Friday, January 10, 2025, Greyhound Racing SA Stewards heard and decided an Inquiry about various behaviour complaints relating to Mr A Nobes.

Stewards conducted an Inquiry about various behaviour complaints relating to Mr A Nobes, pursuant to R169 of the Rules. The complaints subject to this decision included:

1. On April 18, 2024, at the Adelaide Greyhound Racing Club (Angle Park), Mr Nobes engaged in improper conduct against a steward, Mr J Evans;
2. On April 18, 2024, at the Adelaide Greyhound Racing Club (Angle Park), Mr Nobes engaged in insulting conduct against a member of a Club, Mr B Rawlings;
3. On August 6, 2024, Mr Nobes published on the internet of things offensive material against a member of a Club, Mr C Forshaw; and,
4. On August 15, 2024, Mr Nobes published on the internet of things offensive material against a member of a Club, Ms K Johnstone;

Further, Stewards heard evidence from Mr Nobes about an incident that occurred on June 26, 2024, at the Gawler Greyhound Racing Club, where Stewards fined Mr Nobes \$400 (pursuant to R174) for insulting conduct against a member of a Club, Mr T Ieraci (under R165(c)(iii) of the Rules).

Stewards opened this Inquiry on July 4, 2024, following a complaint by Mr Nobes that he was the aggrieved person in relation to previous behaviour complaints (including the incident on June 26, 2024, for which he did not pay the fine). This Inquiry was expanded on August 28, 2024, because of the complaints about conduct towards Mr Forshaw and Ms Johnstone.

Stewards heard the Inquiry on September 3, 2024, taking evidence from Mr Nobes. Mr Nobes, generally, accepted the conduct alleged against him (subject to this decision), recounting his recollection of events and reasons giving rise to the conduct. Mr Nobes was forthright and offered his apology and regret for the conduct.

Stewards further heard the matter on Friday January 10, 2025, after considering the evidence. Pursuant to R169(3)(c) of the Rules, Stewards found sufficient evidence to lay the following charges:

1. Rule 165(c)(iv) of the Rules: That on the 18th day of April 2024, at the Adelaide Greyhound Racing Club (Angle Park), Mr Nobes engaged in improper conduct towards a Steward, Mr J Evans;

Address 55 Cardigan Street
Angle Park SA 5010
Postal PO Box 2352
Regency Park SA 5942
Phone 08 8243 7100

Email admin@grsa.com.au
Website greyhoundracingsa.com.au
ABN 39 094 569 525

2. Rule 165(c)(ii) of the Rules: That on the 18th day of April 2024, at the Adelaide Greyhound Racing Club (Angle Park), Mr Nobes engaged in insulting conduct against a member of a Club, Mr B Rawlings;
3. Rule 165(b)(ii) of the Rules: That on the 6th day of August 2024, at Adelaide, Mr Nobes published the use of offensive language on the internet of things, towards a member of a Club, Mr C Forshaw;
4. Rule 165(b)(ii) of the Rules: That on the 15th day of August 2024, at Adelaide, Mr Nobes published the use of offensive language on the internet of things, in relation to a member of a Club, Ms K Johnstone;

Stewards found each charge substantiated on the evidence.

Stewards also considered the circumstances of the fine ordered June 26, 2024 for which the fine remained unpaid at the time of this Inquiry. Stewards, considering L109 of the Rules, decided not to interfere with the original decision, confirming the penalty of a fine of \$400 (L110 of the Rules).

Turning to penalty, Stewards considered Mr Nobes' personal circumstances, including those matters prescribed in R169(4) and L94(3) of the Rules, notably (in Mr Nobes' favour) being his age and health, his acceptance of the conduct and remorse. Against Mr Nobes were his previous penalties for behaviour breaches, notably on March 2, 2022 at the Gawler Greyhound Racing Club, where he was fined \$150 by Stewards for a breach of then rule 86(f)(i) (now R165(b) or (c)) of the Rules. Also, on November 14, 2022, Mr Nobes was ordered by Stewards to be suspended for 12-months (with that penalty being fully suspended for 12-months) and fined \$250, for a breach of R156(f) of the Rules (improper conduct towards Stewards, committed on October 18, 2022).

Pursuant to L94(2A) of the Rules, Stewards must consider and follow penalty guidelines, unless special circumstances can be established, with guidelines from South Australia being preferred.

The penalty guideline for a breach of R165 of the Rules, where the person has a previous breach (of R165 of the Rules) in the last 3-years prescribes the minimum starting point as 3-years disqualification (without a guilty plea), unless special circumstances are established.

Stewards recognised that Mr Nobes accepted the conduct and applied the 25% reduction for that, bringing the minimum starting point to 27-months disqualification.

Stewards considered if special circumstances were established, considering those matters in L94(3) and (4) and R169(4) of the Rules, and the principles in *Greyhound Racing SA v Schadow & Schadow* (RAT 8/20) (16/10/2020) heard by the Racing Appeals Tribunal, South Australia. Considering those factors, and especially the penalty history of Mr Nobes and the nature and number of offences considered in this Inquiry, overall, Stewards found special circumstances were not established.

Therefore, Stewards ordered a penalty of 27-months disqualification for each of the offences (1) through (4), above. Considering the principles under L94(2) of the Rules, Stewards ordered the penalties for each offence be concurrent (that is, an order that the penalties be cumulative under R176 of the Rules was not made).

Further considering the above-mentioned penalty principles, Stewards ordered, under R174(3) of the Rules, that the effective penalty of 27-months disqualification be suspended after Mr Nobes serves an actual disqualification period of 4-months. The remainder 23-months will be suspended for an operational period of 23-months. Should Mr Nobes be found guilty of a breach of the Rules within the operational period of the suspended penalty, he may be called upon to show cause why the remainder of the disqualification should not be ordered.

Pursuant to R174(6) of the Rules the 4-months disqualification commences on January 18, 2025.

Pursuant to L93(A)(2) of the Rules, Ms K Nobes (being a co-resident) is authorised to train her greyhounds from their premises, for the period of the 4-months disqualification.

In deciding penalty, Stewards also considered the general principles of personal and general deterrence; anti-social behaviour by and against persons cannot be condoned.

As to the \$400 fine ordered on June 26, 2024, that fine is payable no later than 14-days after January 10, 2025 (R175 of the Rules).

This Inquiry is closed.

Panel: (1) D Jonas (Chief Steward); (2) J Jones (Senior Steward); (3) D Kordick (Steward)

Stayed pending appeal