

# Media Release

## Racing Appeals & Disciplinary Board

11 October 2017

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### **HRV RAD Board Hearing – Daryl Douglas**

The Harness Racing Victoria (HRV) Racing Appeals and Disciplinary (RAD) Board today considered charges issued by HRV Stewards under Australian Harness Racing Rules (AHRR) 259(1) (g) & (h), 187(6), 187(2) and 187(1) against former licensed person Daryl Douglas.

Charge 1, under AHRR 259(1) (g) & (h), which reads as follows:

*A disqualified person or a person whose name appears in the current list of disqualifications published or adopted by a recognised harness racing authority or a person warned off cannot do any of the following –*

...

*(g) enter any premises used for the purpose of the harness racing industry;*

*(h) participate in any manner in the harness racing industry;*

The particulars of this charge were that Mr Douglas participated in the harness racing industry on 27 February 2017, while disqualified, by entering the registered training establishment of licensed trainer Marnie Bibby, exercising standardbreds and leading 'Ubringthedrinks' to the stable tie-up area.

Charge 2, under AHRR 187(6), which reads as follows:

*A person shall not frustrate or endeavour to frustrate an inquiry or investigation.*

The particulars of this charge were that on 27 February 2017 when HRV Stewards approached Mr Douglas he ran and concealed himself in a dog kennel.

Charge 3, under AHRR 187(2), which reads as follows:

*A person shall not refuse to answer questions or to produce a horse, document, substance or piece of equipment, or give false or misleading evidence or information at an inquiry or investigation.*

The particulars of this charge were that on 27 February 2017, when HRV Stewards located Mr Douglas, he refused to answer questions and subsequently left the property.

Charge 4, under AHRR 187(1), which reads as follows:

*A person who is directed to do so by the Stewards shall attend an inquiry or investigation convened or conducted by them.*

The particulars of this charge were that Mr Douglas failed to attend an inquiry scheduled for 3 April 2017 to answer questions in relation to the previously mentioned matters.

This HRV RAD Board hearing had previously been adjourned on 24 May 2017 and 25 July 2017. Mr Douglas failed to appear on this re-scheduled date and the HRV RAD Board determined to conduct the hearing in his absence acting under Victorian Local Rule 50(1)(a).

The charges were found proven and the HRV RAD Board heard submissions on penalty from the HRV Stewards.

The HRV RAD Board also considered both specific and general deterrence along with penalties in previous matters with similar circumstances and issued the following penalties:

Charge 1: 2 month disqualification

Charge 2: \$1000 fine

Charge 3: \$1000 fine

Charge 4: Mr Douglas be warned off until he attends a HRV Stewards inquiry

#### **HRV RAD Board Panel:**

**Brian Collis QC (Deputy Chairman)**

**Dr Hugh Millar / Rebecca Oliver (Members)**

The Racing Appeals & Disciplinary Board (RADB) is established under section 50B of the Racing Act (1958). The RADB is an independent Board established to hear and determine appeals in relation to decisions made under the rules to impose penalties on persons and to hear and determine charges made against persons for serious offences.