

Media Release

Racing Appeals & Disciplinary Board

20 November 2019

HRV RAD Board – Daryl Douglas

On 15 November 2019, the Harness Racing Victoria (HRV) Racing Appeals and Disciplinary (RAD) Board considered a charge issued against formerly licensed person Daryl Douglas under Australian Harness Racing Rule (AHRR) 247 relating to the conduct of Mr Douglas at a HRV RAD Board hearing on 13 February 2017.

At the outset of the hearing, Mr Douglas entered a plea of guilty to the charge.

AHRR 247, states:

A person attending before the Controlling Body its members or employees, the Stewards, officials or at any proceeding under these rules, shall not speak or behave in a malicious, intimidatory or otherwise improper manner.

The particulars of the charge being that on 13 February 2017, Mr Douglas attended the HRV RAD Board for a hearing of charges which related to his conduct on 9 November 2016. During an adjournment in the hearing Mr Douglas left his mobile phone in the hearing room and recorded a deliberation he was not party to between HRV RAD Board members, Anthony Burns and John Denahy. Mr Douglas presented a transcript of this recording at a Victorian Civil and Administrative Tribunal (VCAT) hearing on 19 April 2017. His behavior by recording a private deliberation of the HRV RAD Board on 13 February 2017 and subsequent dissemination of this recording by transcript on 19 April 2017, was improper.

The HRV RAD Board heard submissions on penalty from the HRV Stewards and Peter Tonkin representing Mr Douglas.

In determining penalty the HRV RAD Board considered the following:

- The seriousness of the offence;
- Mr Douglas' offence record;

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- Mr Douglas' history in the harness racing industry;
- The personal circumstances of Mr Douglas;
- Specific and general deterrence;
- A lack of similar matters previously heard before the HRV RAD Board.

Penalty

After taking these factors into account, the HRV RAD Board issued a fine of \$3,500 of which \$1,000 wholly suspended for a period of twelve (12) months.

HRV RAD Board Panel: Judge Graeme Hicks (Chairman) and Robert Abrahams (Deputy Chair)

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