GREYHOUND WELFARE & INTEGRITY COMMISSION

DISCIPLINARY ACTION DECISION

Date of decision:	14 May 2021
Decision-makers:	A/Senior Legal Officer, Alice Stafford, Chief Inspector, David OShannessy and Senior Steward, Dean Degan
Name of relevant person:	Mr Kade Jarvis
Track:	Gosford, The Gardens
Date:	1 September 2020, 22 September 2020, 26 September 2020, 29 September 2020, 13 October 2020, 20 October 2020, 27 October 2020, 3 November 2020, 9 November 2020, 30 November 2020, 29 December 2020, 9 January 2021, 30 January 2021, 23 February 2021
Rule no.:	Rule 104(6)(c) (x14)
Charges:	(1) On 1 September 2020, at the Gosford meeting, Mr Jarvis directly engaged in betting transactions on races in which he acted as a judge; (2) On 22 September 2020, at the Gosford meeting, Mr Jarvis directly engaged in betting transactions on races in which he acted as a judge; (3) On 26 September 2020, at the Gosford meeting, Mr Jarvis directly engaged in betting transactions on races in which he acted as a judge; (4) On 29 September 2020, at the Gosford meeting, Mr Jarvis directly engaged in betting transactions on races in which he acted as a judge; (5) On 13 October 2020, at the Gosford meeting, Mr Jarvis directly engaged in betting transactions on races in which he acted as a judge; (6) On 20 October 2020, at the Gosford meeting, Mr Jarvis directly engaged in betting transactions on races in which he acted as a judge; (7) On 27 October 2020, at the Gosford meeting, Mr Jarvis directly engaged in betting transactions on races in which he acted as a judge;

(8) On 3 November 2020, at the Gosford meeting, Mr Jarvis directly engaged in betting transactions on races in which he acted as a judge;

(9) On 9 November 2020, at the Gosford meeting, Mr Jarvis directly engaged in betting transactions on races in which he acted as a judge;

(10) On 30 November 2020, at the Gosford meeting, Mr Jarvis directly engaged in betting transactions on races in which he acted as a judge;

(11) On 29 December 2020, at the Gosford meeting, Mr Jarvis directly engaged in betting transactions on races in which he acted as a judge;

(12) On 9 January 2021, at the Gosford meeting, Mr Jarvis directly engaged in betting transactions on races in which he acted as a judge;

(13) On 30 January 2021, at The Gardens meeting, Mr Jarvis directly engaged in betting transactions on which he acted as a judge;

(14) On 23 February 2021, at the Gosford meeting, Mr Jarvis directly engaged in betting transactions on which he acted as a judge.

Disciplinary action taken: 9-month suspension of Mr Jarvis' registrations (with 7 months conditionally suspended).

DECISION:

1. Mr Jarvis is a registered greyhound Race Official, Public Trainer and Breeder.
2. On 27 February 2021, the Commission received a complaint that Mr Jarvis may have been placing bets on greyhound races at which he was acting as a race day official.
3. An investigation was commenced which found that Mr Jarvis placed bets on greyhound races on 14 occasions whilst he was employed as the judge at those race meetings.
4. The Commission charged Mr Jarvis with fourteen (14) offences under Rule 104(6)(c), which reads:

Rule 104(6)(c)

6) An official officiating in a capacity that may have an affect on the result of an Event shall not-

…

(c) directly or indirectly engage in any betting transaction on that event.

5. Mr Jarvis was notified of the charges in writing. Mr Jarvis admitted the charges and elected to have the disciplinary proceeding conducted in writing.
6. The Commission, after considering all available material, found the charges proven and took the following disciplinary action against Mr Jarvis:

   To suspend Mr Jarvis' registrations for a period of 9 months, with 7 months suspended for a period of 12 months on the condition that Mr Jarvis does not breach Rule 104(6) or any similar rules during that 12-month period.
7. Following further submissions by Mr Jarvis, the Commission considered and found that there were exceptional circumstances under LR99B(4) for an exemption to be granted to allow Mr Jarvis to continue to act as, and have the privileges attached to the registration of, a Public Trainer and Breeder. The effect of the suspension was applied only to his Race Official registration.
8. In taking this disciplinary action, the Commission considered all evidence, including:
   - The objective seriousness of Mr Jarvis' conduct – betting on races in which he performed in an official capacity is a serious breach of the Rules and poses a significant integrity issue for the greyhound racing industry;
   - The length of time Mr Jarvis has held a registration in the greyhound racing industry, being since 2001, approximately 20 years;
   - Mr Jarvis' disciplinary history in that he has no relevant prior matters on his record;
   - Mr Jarvis' admission of the charges at the earliest opportunity demonstrated significant remorse for his conduct;
   - The length of time that Mr Jarvis was stood down by GBOTA from his race official duties, being since 23 March 2021, which is a period of just uder 2 months. This period was taken into account when considering the length of the suspension imposed by the Commission upon Mr Jarvis;
   - That the requirement to be registered as a Race Official is a relatively new registration type in the NSW greyhound racing industry having being introduced in September 2019, however the position of a judge and the responsibilities associated with being a judge are not new and the conduct of betting whilst undertaking this official role is clearly something that should have been known to any person acting as a judge; and
   - The submissions made by Mr Jarvis in mitigation of penalty, including his personal and financial circumstances, his good record and his submissions as to his future conduct whilst performing race official duties.

The Commission also conducted an assessment of the results from the races in question and found that the results were judged correctly.

Circumstances of this case

The Commission decision makers consider that there are specific circumstances of this matter that distinguishes it from future matters that involve race officials, particularly judges, who place bets whilst working in an official capacity.

The Commission has commenced an integrity program relating to the betting of race officials in the greyhound racing industry whilst performing official roles. This program will be ongoing and subject to constant monitoring.

This matter and the matter of registered race official Mr Garth Roese, a decision also published on the Commission's website, are the first matters the Commission has dealt with by way of disciplinary action, including the publishing of the Commission's findings. The Commission has imposed penalties having regard to the fact that these are the first matters dealt with by the Commission. The publication of these decisions should serve as a very clear warning to greyhound racing participants who undertake roles as officials in the industry that the Commission will take disciplinary action against anyone who contravenes the rules. For this reason, the Commission considers that future penalties for any official found guilty of breaching the rules that deal with betting whilst working as an official must be met with more significant penalties.

……..End.……..……..