

GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision:	19 October 2021
Decision-maker:	Director Compliance & Legal Services, Matthew Tutt, Chief Inspector David OShannessy, Director Race Day Operations (Chief Steward), Wade Birch
Name of relevant person:	Mr Anthony Mabbott
Track:	N/A
Date:	16 September 2016, 18 April 2021
Rule no.:	Rule 95(8)(a)(i), Rule 86(x)
Charge(s):	(1) Mr Mabbott was convicted and sentenced by the Downing Centre District Court on 16 September 2016 for offences such that his continued participation or association with the greyhound racing industry would be detrimental to its proper control and regulation; (2) On or about 18 April 2021, Mr Mabbott made a false statement in an application for renewal of registration.
Disciplinary action taken:	Charge 1 (Rule 95(8)(a)(i): Charge proven, no penalty imposed; Charge 2 (Rule 86(x): 4-month disqualification

DECISION:

1. Mr Anthony Mabbott was at all material times a registered owner.
2. On 16 September 2016, Mr Mabbott was sentenced in the Downing Centre District Court and convicted of two offences relating to the facilitation of conduct that corrupts the betting outcome of an event. These offences were as a result of conduct by Mr Mabbott when involved in Harness Racing in April 2013.
3. Due to Mr Mabbott's conduct, he was stood down by NSW Harness Racing from May 2013 to June 2021. In being stood down, Mr Mabbott lost a number of privileges attached to holding a licence, including being able to train and drive.
4. On or about 18 April 2021, Mr Mabbott submitted a registration renewal application with the Commission via an online portal. In that application, Mr Mabbott selected 'no' in response to the questions:

1. Has any disciplinary action been taken against you in any racing code in the past 10 years?
 2. Have you been charged with any offence in the past 10 years?
 3. Have you been convicted with any offence in the past 10 years?
5. The Commission charged Mr Mabbott under Rule 95(8)(a)(i) in relation to the conviction of two offences by the District Court, and under Rule 86(x) in relation to making false statements in his Owner registration renewal application. These Rules respectively read:

Rule 95(8)(a)(i)

(8) The Controlling Body may impose on a person anyone or more of the penalties referred to in sub-rule (1) if –

(a) the person has been convicted of an offence by any court and the Controlling Body is satisfied that:

(i) the nature of the offence is such that the person's continued participation or association with the greyhound racing would be detrimental to the proper control and regulation of greyhound racing.

Rule 86(x)

A person (including an official) shall be guilty of an offence if the person-

(x) makes any statement which to his/her knowledge is false either oral by, by print, in writing, by electronic means or by any combination thereof to a member of the Controlling Body, an officer of the Controlling Body, an employee of the Controlling Body, a veterinary surgeon or an official in the execution of his/her duty;

6. Mr Mabbott was notified of the charges in writing and was invited to attend a hearing to respond to the charges and make submissions.
7. Mr Mabbott attended the hearing and was legally represented. Mr Mabbott did not enter a plea in relation to Charge One and he entered a guilty plea to Charge Two. Mr Mabbott's legal representative made submissions in relation to both charges.
8. The Commission found the charges proven and took the following disciplinary action against Mr Mabbott:

Charge 1 (Rule 95(8)(a)(i)): To impose no further penalty

Charge 2 (Rule 86(x)): To disqualify Mr Mabbott for 4-months,

9. In taking this disciplinary action, the Commission considered all evidence, including:
 - Greyhound racing penalty precedents in NSW and other jurisdictions;

- Mr Mabbott's plea of guilty to charge two at the earliest opportunity and acceptance of the conduct as particularised in charge one;
- The length of time Mr Mabbott has held an owner registration in the greyhound racing industry, being approximately 10 years;
- Mr Mabbott's lack of previous disciplinary history with the greyhound racing industry;
- The submissions made on Mr Mabbott's behalf as to his personal and financial circumstances.
- The fact that Mr Mabbott has been dealt with by the Racing Appeals Tribunal recently, where he received an ultimate penalty of an 8-year disqualification from Harness Racing NSW.

10. It is the view of the decision makers that it remains important for the Commission's registration process to have complete information to the criminal and regulatory history of its applicants. Truthfulness of applicants is integral to ensuring the ongoing integrity of the greyhound racing industry.

.....End.....