24 March 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**CAMERON MEDCRAFT**

**Date of hearing:** 15 March 2021

**Panel:** Justice Shane Marshall (Deputy Chairperson) and Dr June Smith.

**Appearances:** Mr Marwan El-Asmar appeared on behalf of the Stewards.

Mr Cameron Medcraft represented himself.

**Charge:** Greyhounds Australasia Rule (“GAR”) 86(g) states:

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

(g) wilfully assaults, obstructs, impedes, abuses, interferes, threatens or insults the Controlling Body, any member of the Controlling Body, a club, any member of the committee of a club, any Steward or any other official of the Controlling Body or a club in or at any place including in or in the vicinity of the place where an inquiry is to take place, is taking place or has taken place.

GAR 86(o) states:

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

(o) has, in relation to a greyhound or greyhound racing, done a thing, or omitted to do a thing, which, in the opinion of the Stewards or the Controlling Body, as the case may be, is negligent, dishonest, corrupt, fraudulent or improper, or constitutes misconduct.

GAR 86(f)(i) states:

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

(f) engages in, publishes or causes to be published, broadcasts or causes to be broadcast, the use of any contemptuous, unseemly, improper, insulting, or offensive language, conduct or behaviour in any manner or form towards, or in relation to-

(i) a Steward.

GAR 86(p) states:

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

(p) disobeys or fails to comply with the lawful order of a Steward or other person or body having official duties in relation to greyhound racing.

GAR 86(e) states:

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

(e) being an owner, trainer, attendant or a person having official duties in relation to greyhound racing, refuses or fails to attend or to give evidence at an inquiry, or produce a document or other thing in relation to an investigation, examination, test or inquiry pursuant to these Rules when directed by the Controlling Body, Stewards or the committee of a club to do so.

**Particulars of charge: Charge 1**

You, being a person registered with Greyhound Racing Victoria, wilfully interfered with an inquiry which was taking place, in that:

1. You were, at all relevant times, a trainer/breeder registered with Greyhound Racing Victoria (GRV) (Member No. 164571) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. On 11 December 2019, during the course of an inquiry with a Mrs. Kathryn Medcraft (née Bentley), a GRV Registered Participant, you snatched a mobile phone from the custody of the Investigative Steward, such a mobile phone having been provided to the Stewards following a lawful direction upon Mrs. Kathryn Medcraft to do so.

**Charge 2**

You, being a person registered with Greyhound Racing Victoria, has, in relation to greyhound racing, done a thing which in the opinion of the Stewards was improper and/or constitutes misconduct, in that:

1. You were, at all relevant times, a trainer/breeder registered with Greyhound Racing Victoria (GRV) (Member No. 164571) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. On 11 December 2019, during the course of an inquiry with a Mrs. Kathryn Medcraft a registered GRV participant, you engaged in behaviour which in the opinion of the Investigative Stewards was improper and/or constituted misconduct. This behaviour included the following statements directed at the Stewards:
* *“What are you gunna do?”*
* *“Did you know we got a gun on the premise?”*
* *“Why would I threaten ya?”*
1. You then proceeded to follow the Investigative Stewards back to their vehicle while pulling a greyhound aggressively by its collar;
2. After Investigative Stewards departed your property you got into your vehicle and followed the Investigative Stewards for approximately two (2) kilometres.

**Charge 3**

You, being a person registered with Greyhound Racing Victoria, did publish or cause to be published the use of contemptuous, improper, insulting or offensive language in relation to a Steward, in that:

1. You were, at all relevant times, a trainer/breeder registered with Greyhound Racing Victoria (GRV) (Member No. 164571) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. On 11 December 2019, you published on a social media platform known as Facebook the following comments:
* *“Cheechy Cheech let's say he legged it out and possibly had shit stains in his jocks didn't want to hang around" (sic)*
* *"Cheechy Cheech must be on good money there dumb as shit"(sic)*
* *"Just blue collar Crim's" (sic)*

**Charge 4**

You, being a person registered with Greyhound Racing Victoria, disobeyed or failed to comply with the lawful order of a person having official duties in relation to greyhound racing, in that:

1. You were, at all relevant times, a trainer/breeder registered with Greyhound Racing Victoria (GRV) (Member No. 164571) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. On 16 December 2019, you were sent a written direction (lawful order) to remove offensive comments published on your Facebook page toward Investigate Stewards (as per the direction).
3. You disobeyed or failed to comply with the written direction (lawful order).

**Charge 5**

You, being a person registered with Greyhound Racing Victoria, failed to attend an inquiry in relation to an investigation when directed by Stewards, in that:

1. You were, at all relevant times, a trainer/breeder registered with Greyhound Racing Victoria (GRV) (Member No. 164571) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. On 11 January 2020, you were sent via registered post, a Notice of Inquiry scheduled for 19 February 2020.
3. You did not make any attempt to contact Investigative Stewards in relation to your attendance at this inquiry.
4. You failed to attend the scheduled inquiry in relation to an investigation when directed by a Steward.

**Plea:** Not guilty to all charges

**DECISION**

1. Mr Cameron Medcraft is a registered greyhound trainer and breeder. These reasons for decision deal with five charges laid against him, being similar to the charges laid against his partner, Mrs Kathryn Medcraft, which were the subject of a decision published earlier today. These reasons for the decision should be read together with the reasons in the case of Mrs Medcraft.
2. Mr Medcraft has been charged under Greyhounds Australasia Rule (“GAR”) 86(g) with obstructing Stewards by interfering with an inquiry by snatching Mrs Medcraft’s mobile phone from Stewards and giving it back to Mrs Medcraft. We are comfortably satisfied, after viewing vision of the incident, that Mr Medcraft breached GAR 86(g) and is guilty as charged.
3. Mr Medcraft is also charged under GAR 86(o) with engaging in improper conduct constituting misconduct by making certain comments directed at the Stewards; by following Investigative Stewards back to their vehicle while pulling a greyhound aggressively by the collar; and by following the Stewards in their car for about two kilometres.
4. Two comments relied on by the Stewards were “what are you gunna do” and “why would I threaten ya”. We find that these comments do not constitute misconduct or improper conduct. We have a different view about the comment “did you know we got a gun on the premises”? That comment was totally inappropriate and understandably made the Stewards fear for their safety. By itself, it constitutes a breach of GAR 86(o). In combination, the three statements seen together also support the conclusion that Mr Medcraft engaged in improper conduct or misconduct. We find Mr Medcraft guilty as charged.
5. We are not satisfied on the evidence that Mr Medcraft did deliberately follow the Stewards to their car while dragging a dog by the collar or follow them for two kilometres with the intention of intimidating them. The Stewards have not challenged his evidence that he was travelling behind the Stewards for a short distance in the course of delivering a mechanical part to another person.
6. Mr Medcraft has been charged under GAR 86(f)(i) with publishing contemptuous, improper, insulting or offensive comments on Facebook directed at two Investigative Stewards. We will not repeat those comments. They reflect very poorly on Mr Medcraft. They were insulting, offensive and improper. Mr Medcraft admitted to posting them. We find him guilty as charged.
7. Mr Medcraft was served with an order to remove the posts. He failed to do so. He thereby breached GAR 86(p). We find him guilty of that charge.
8. Mr Medcraft is also guilty of breaching GAR 86(e) by failing to attend the inquiry scheduled for 19 February 2020 after being sent a letter by registered post on 11 January 2020 requiring his attendance.
9. We observe that the Stewards suspended Mr Medcraft’s registration with effect from 12 December 2019.
10. The matter is adjourned to a directions hearing on a date to be fixed to consider submissions on penalty, having regard to the Tribunal’s findings of guilty on all charges.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal