27 August 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**CAMERON MEDCRAFT**

**Date of hearing:** 9 August 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 did not attend the hearing.

**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: GAR 86(g)**

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: GAR 86(o)**

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: GAR 86(f)(i)**

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: GAR 86(p)**

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: GAR 86(e)**

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

**PENALTY**

1. Mr Cameron Medcraft is a registered greyhound trainer and breeder. This decision concerns the penalties which should be imposed on him in light of his being found guilty on five charges by the Tribunal on 24 March 2021. The Tribunal’s decision on those matters should be read together with this decision.
2. Mr Medcraft was found guilty on five charges under Greyhounds Australasia Rule (“GAR”) 86(g), 86(o), 86(f)(i), 86(p) and 86(e) respectively.
3. In the course of investigating the matters that led to these charges, the Stewards suspended Mr Medcraft’s registration on 12 December 2019, pending the determination of the five charges made against him.
4. The first charge of obstructing Stewards under GAR 86(g) is a very serious one. To maintain the integrity of the industry, Stewards are entitled to expect participants to be cooperative and allow their mobile phones to be taken and examined. The snatching of Mrs Medcraft’s mobile phone from the Stewards undermined the integrity of greyhound racing and undermined the ability of the Stewards to do their jobs. It is deserving of a severe sanction.
5. The second charge of improper conduct under GAR 86(o) is also extremely serious, especially when it involves threats of the use of firearms, even opaquely. It is not a matter for even a poor attempt at humour, if that was intended. It was objectively intimidatory to Stewards.
6. Mr Medcraft was found guilty under GAR 86(f)(i) for publishing insulting and offensive comments about the Stewards on social media. Despite admitting to posting them, Mr Medcraft nevertheless pleaded not guilty to the charge. The disgusting nature of what was posted, as well as the posting of the faces of the Stewards on Facebook, are aggravating factors.
7. Mr Medcraft was found guilty under GAR 86(p) of failing to remove the posts. Whilst this conduct was also egregious and demonstrated a lack of remorse and complete defiance of the Stewards, it may be considered to be part of a course of conduct commencing with the breach of GAR 86(o).
8. Finally, Mr Medcraft was found guilty under GAR 86(e) by reason of his failure to attend an inquiry to discuss the interaction between himself, Mrs Medcraft and the Stewards that led to these charges. That refusal shows a total lack of respect for the integrity of the industry and a lack of remorse for appalling conduct. We also take into account a previous misconduct offence committed by Mr Medcraft in 2013 concerning an interaction with another trainer.
9. In all the circumstances, we impose the following penalties:

Charge 1: GAR 86(g) – 12 months disqualification.

Charge 2: GAR 86(o) – six months disqualification, to be served concurrently with the penalty imposed on charge 1.

Charge 3: GAR 86(f)(i) – two years disqualification, to be served cumulatively with the penalty imposed on charge 1.

Charge 4: GAR 86(p) – six months disqualification, to be served concurrently with the penalty imposed on charge 3.

Charge 5: GAR 86(e) – 12 months disqualification, to be served cumulatively with the penalty imposed on charge 3.

In total, a period of four years disqualification, with effect from 12 December 2019, is imposed on Mr Medcraft.

1. We note that Mr Medcraft did not make himself available to participate in the penalty hearing and previously indicated to the Assistant Registrar that he would not participate in such a hearing. By so doing and not putting any relevant material before us, he did assist his situation.
2. In setting the above penalties, we have taken into account Mr Medcraft’s lack of remorse and the importance of general deterrence and denunciation. General deterrence is especially important, as registered participants need to be aware that conduct of this nature will not be tolerated.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal