31 March 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**CRAIG TRICKETT**

**Date of hearing:** 17 March 2022

**Panel:** Justice Shane Marshall (Deputy Chairperson) and Mr Des Gleeson.

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

Mr Craig Trickett represented himself.

**Charges:** Greyhounds Australasia Rule (“GAR”) 86(u) states:

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

(u) Commits a breach of the Rules relating to syndicates.

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 Controlling Body, as the case may be, is negligent, dishonest, corrupt, fraudulent or improper, or constitutes misconduct.

GAR 86(d) states:

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

(d) being an owner, trainer, attendant or person having official duties in relation to greyhound racing, makes a false or misleading statement in relation to an investigation, examination, test or inquiry, or makes or causes to be made a falsification in a document in connection with greyhound racing or the registration of a greyhound.

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.

**Particulars of charges: Charge 1: GAR 86(u)**

1. You were, at all relevant times, an owner, trainer, breeder registered with Greyhound Racing Victoria (“GRV”) (Member No. 305350) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. Between 1 January 2018 and 21 April 2020, you were the registered Syndicate Manager of twenty (20) Syndicates under the name of “Chasing Gold Greyhound Syndication”.
3. These twenty (20) syndicates were not registered with GRV in accordance with the Rules of Racing, in particular Local Racing Rule 13.2.

**Charge 2: GAR 86(o)**

1. You were, at all relevant times, an owner, trainer, breeder registered with Greyhound Racing Victoria (“GRV”) (Member No. 305350) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You have, in relation to the greyhound racing, done a thing, which in the opinion of the Stewards, is dishonest, corrupt, fraudulent, improper, or constitutes misconduct, in that:-

(a) On 21 May 2019, you obtained a financial advantage by falsely representing yourself as the owner of greyhound “Chasin Donuts” (Ear Brand NGDSU) to a group of twelve (12) shareholders who then purchased the said greyhound for the amount of $5,000;

(b) You sent prospective shareholders footage of a greyhound in a bullring you purported to be Chasin Donuts (Ear Brand NGDSU). You knowingly used the same footage one (1) month earlier purporting it to be a completely different greyhound (Kennel name of Jodi) with different shareholders.

1. GRV FastTrack records show that Chasin Donuts (Ear Brand NGDSU) was never registered in your name or Chasing Gold Greyhound Syndication.

**Charge 3: GAR 86(o)**

1. You were, at all relevant times, an owner, trainer, breeder registered with Greyhound Racing Victoria (“GRV”) (Member No. 305350) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You have, in relation to the greyhound racing, done a thing, which in the opinion of the Stewards, is dishonest, corrupt, fraudulent, improper, or constitutes misconduct, in that:-

(a) During 2019, you falsely represented yourself as the owner of two (2) greyhounds from the “Spud Regis” (Ear Brand VPL 1996) and “Panic Station” (Ear Brand VCOWN) litter, and sold shares to members of the public.

1. GRV FastTrack records show there has never been any greyhounds from the litter registered with GRV in your name or the name of Chasing Gold Greyhound Syndication and no evidence of ownership has been provided by you.

**Charge 4: GAR 86(o)**

1. You were, at all relevant times, an owner, trainer, breeder registered with Greyhound Racing Victoria (“GRV”) (Member No. 305350) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You have, in relation to the greyhound racing, done a thing, which in the opinion of the Stewards, is dishonest, corrupt, fraudulent, improper, or constitutes misconduct, in that:-

(a) Between 11 February 2020 and 19 May 2020, you falsely represented yourself as the registered owner of “Star Shiraz” (Ear Brand VGHXF) when you sold and/or offered shares in the greyhound to members of the public;

(b) You sent emails to shareholders which contained false statements or information, in particular the following:

* that Star Shiraz was placed with a trainer and “ready to go”; and
* that you were the registered owner of Star Shiraz.

(c) On 16 July 2020 Star Shiraz was retired, however the Chasing Gold Greyhound Syndication webpage continued advertising the sale of shares via PayPal until 8 October 2020.

 **Charge 5: GAR 86(o)**

1. You were, at all relevant times, an owner, trainer, breeder registered with Greyhound Racing Victoria (“GRV”) (Member No. 305350) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You have, in relation to the greyhound racing, done a thing, which in the opinion of the Stewards, is dishonest, corrupt, fraudulent, improper, or constitutes misconduct, in that:-

(a) on 5 December 2019, you sold shares in a greyhound that you owned called “Tuna Sub” (Ear Brand VGYVZ) to a group of shareholders for $6,000;

(b) Nine (9) days later Tuna Sub was sent to a property where it remained for over four (4) months and not subject to any training;

(c) The information you provided to shareholders about the greyhound being educated and trained at this property was dishonest.

**Charge 6: GAR 86(o)**

1. You were, at all relevant times, an owner, trainer, breeder registered with Greyhound Racing Victoria (GRV) (Member No. 305350) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. You have, in relation to the greyhound racing, done a thing, which in the opinion of the Stewards, is dishonest, corrupt, fraudulent, improper, or constitutes misconduct, in that:-

(a) In November 2019, you sold shares to eighteen (18) members of the public in an unnamed greyhound from the “Dyna Double One” (Ear Brand NCFES) and “West on Jorji” (Ear Brand WBASX) litter with the kennel name of Ali (Ear Brand SHAEH), which was sent to a pre trainer in November 2019;

(b) Ali was only pre trained for two (2) weeks following which it was determined the greyhound had poor prospects and was abandoned by you;

(c) You continued to send emails to shareholders regarding Ali’s status and activity that were dishonest;

(d) You failed to respond to shareholders that have attempted to seek or updates regarding Ali.

1. GRV records show that Ali was retired on 20 October 2020 without being assigned a racing name or a trainer. Ali never raced.

**Charge 7: GAR 86(o)**

1. You were, at all relevant times, an owner, trainer, breeder registered with Greyhound Racing Victoria (“GRV”) (Member No. 305350) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You have, in relation to the greyhound racing, done a thing, which in the opinion of the Stewards, is dishonest, corrupt, fraudulent, improper, or constitutes misconduct, in that:-

(a) In March 2020, you sold “Chopping Spuds” (VGDIY), a registered greyhound owned under the name Chasing Gold Greyhound Syndication, with shareholders, to a new owner in Western Australia without consulting shareholders prior to the sale, without informing them of the sale, nor providing them any proceeds of the sale;

(b) You withheld prizemoney from shareholders and have not been responsive to their requests for information.

 **Charge 8: GAR 86(o)**

1. You were, at all relevant times, an owner, trainer, breeder registered with Greyhound Racing Victoria (“GRV”) (Member No. 305350) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You have, in relation to the greyhound racing, done a thing, which in the opinion of the Stewards, is dishonest, corrupt, fraudulent, improper, or constitutes misconduct, in that:-

(a) In 2019, you sold shares to members of the public in a greyhound called “George Melbourne” (Ear Brand NGDFM) for $8,000 and was then unresponsive to shareholder requests for updates;

(b) The information that you did provide shareholders regarding the status and activity of the greyhound was dishonest; including a statement that George Melbourne was ready to race when it was not, having a trainer when it did not and undergoing a fitness program when it was actually sent for boarding where it didn’t undergo any training or fitness activity.

1. George Melbourne never raced and was retired.

**Charge 9: GAR 86(o)**

1. You were, at all relevant times, an owner, trainer, breeder registered with Greyhound Racing Victoria (“GRV”) (Member No. 305350) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. You have, in relation to the greyhound racing, done a thing, which in the opinion of the Stewards, is dishonest, corrupt, fraudulent, improper, or constitutes misconduct, in that:-

(a) Between 1 January 2018 and 29 May 2020 you sold shares to members of the public or managed existing syndicates where you failed to update shareholders regularly and honestly, regarding the location, activity and financial status of the greyhound after shares are sold.

(b) Your distribution of prizemoney was discretionary and without any form of governance to ensure the integrity of financial management processes.

1. Despite Investigative Stewards advising you of the complaints and providing advice on the Rules for Managing syndicates, you continued to operate without transparency and governance.

 **Charge 11: GAR 86(d)**

1. You were, at all relevant times, an owner, trainer, breeder registered with Greyhound Racing Victoria (“GRV”) (Member No. 305350) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. You, being an owner, trainer and breeder having official duties in relation to greyhound racing, made a false or misleading statement during an inquiry in connection with greyhound racing in that you:

(a) On 21 April 2020, during an inquiry with Investigative Stewards, you stated you were the registered owner of Chasin’ Donuts (Ear Brand NGDSU);

(b) FastTrack Records indicate you were never the registered owner of Chasin Donuts.

 **Charge 12: GAR 86(p)**

1. You were, at all relevant times, an owner, trainer, breeder registered with Greyhound Racing Victoria (“GRV”) (Member No. 305350) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. Between 5 February 2020 and 11 September 2020 Investigative Stewards issued you with four (4) lawful orders in relation to greyhound racing as follows:

(i) On 5 February 2020 Stewards issued with an order directing that you provide information regarding governance processes and information pertaining to the syndicates you were managing;

(ii) On 21 April 2020 Stewards issued you with an order directing that you register public syndicates with GRV in accordance with the Local Racing Rules by 22 May 2020;

(iii) On 11 June 2020 Stewards issued you an order directing that you provide evidence of ownership of greyhounds and correspondence between yourself and syndicate shareholder groups.

(iv) On 11 September 2020 Investigative Stewards issued you an order directing that you remove the “Star Shiraz” (Ear Brand VGHXF) sales advertisement from your website as the greyhound was retired and remove or update other false and misleading information.

1. You failed to comply with these four (4) lawful orders as issued by the Stewards.

**Pleas:** Guilty to charges 1 – 9, 11 and 12

 Charges 10, 13, 14 and 15 withdrawn by the Stewards

**DECISION**

1. Mr Craig Trickett was a registered greyhound trainer, owner and breeder until his registration was suspended following an investigation by Stewards concerning breaches of the local racing (“LR”) Rules regarding syndication of greyhound ownership.
2. Under LR 13, the following applies: -
* Where a greyhound is owned by two or more persons, the registration of such persons as owners must be in the name of a syndicate;
* Each syndicate must immediately notify the Board of Greyhound Racing Victoria (“GRV”) of any proposed change in the composition of a syndicate or the termination of the syndicate;
* Each syndicate must nominate a delegated person to exercise powers as the owner of a greyhound, including nominating and withdrawing greyhounds from events and any proposed change to the delegated person status.
1. Stewards of GRV originally charged Mr Trickett with 15 offences, being breaches of various Rules constituting paragraphs (u), (o), (d) and (p) of Greyhounds Australasia Rule (“GAR”) 86. Charge 12 was amended to reflect what was previously contained in Charges 13, 14 and 15, which were withdrawn. Charge 10 was also withdrawn.
2. For about five years, Mr Trickett operated an internet webpage at www.chasinggold.com.au. The webpage promised the selling and syndicating of shares in registered greyhounds purportedly owned by Mr Trickett on the basis that Mr Trickett was the manager of the syndicate. Mr Trickett misrepresented himself as the owner of the greyhounds and, in one case, advertised the purchase of shares in a greyhound he owned, three months after it had been retired. Many of the greyhounds purportedly syndicated were not allocated a trainer and never raced.
3. Charge 1 is under GAR 86(u), which prohibits breaches of the Rules in relation to syndicates, meaning breaches of LR 13. These breaches occurred between 1 January 2018 and 21 April 2020.
4. This charge relates to the failure of Mr Trickett to register 20 syndications. 11 concerned greyhounds in which shares were sold to the public after 1 January 2018. Nine concerned greyhounds in which additional shares were sold after 1 January 2018. None of the syndicates or changes to membership were registered under LR 13. There was no application for registration as a syndicate in respect of any greyhound or notification of any proposed change to the membership of a syndicate.
5. Mr Trickett pleaded guilty to this charge and to the other charges laid against him. Breach of the Rules concerning syndicates is a very serious matter. Ownership in a greyhound must be readily discernible to assist probity in the industry and to promote public involvement in a reputable industry.
6. Charges 2 to 9 inclusive are charges under GAR 86(o), which prohibits dishonest, corrupt, fraudulent or improper behaviour, including misconduct. The eight individual charges are relevant to the following conduct: -
7. Charge 2 concerns failure to register a syndicate as owner of “Chasin Donuts” after taking $5,000 from each of the 12 proposed syndicate members in circumstances where the greyhound was owned at all material times by third parties. Mr Trickett proposed to replace Chasin Donuts with a greyhound later named “Widdershins”. Mr Trickett told syndicate members that the replacement was due to “poor form”, when he knew that Chasin Donuts had never been owned by him. He was dishonest with shareholders in that regard. Behaviour like this brings the industry into disrepute.
8. Charge 3 concerns the fraudulent behaviour of Mr Trickett in allowing two people to purchase shares in a syndicate for a greyhound with the kennel name “Jodi”. Mr Trickett did not own that greyhound and had no authority to sell shares in it. Mr Trickett told the two people that he had issues with Jodi and replaced her with “Super Switch”. The Chasing Gold Syndicate did not own Super Switch. He was dishonest with syndicate members about the need to transfer shares to Super Switch and dishonest with the representation that he owned Jodi.
9. Charge 4 relates to a greyhound called “Fancy Joy”. Mr Trickett owned the greyhound but did not race her, shareholders in Fancy Joy were emailed by Mr Trickett who said that “Star Shiraz” had replaced Fancy Joy. Mr Trickett was not then the owner of Star Shiraz. There were 20 shareholders in Star Shiraz. Mr Trickett did not become the owner of Star Shiraz until a few months after he allegedly sold shares in the greyhound. Mr Trickett dishonestly talked up the prospect of Star Shiraz to proposed syndicate members and retired the greyhound shortly after becoming the owner.
10. Charge 5 relates to the purchase of shares by 21 shareholders in a syndicate managed by Mr Trickett involving the greyhound “Tuna Sub”. Mr Trickett sent the greyhound for spelling, but made no effort to have the greyhound trained or educated and failed to comply with orders from GRV Stewards to do so. Mr Trickett offered to refund money to shareholders if they withdrew complaints about him to GRV’s investigative unit. His conduct in respect of this greyhound was also dishonest.
11. Charge 6 concerns the syndication of a greyhound with the kennel name of “Ali”. Mr Trickett became the owner of the greyhound on 15 July 2019. In November and December 2019, two people purchased $400 shares in her. Mr Trickett did not respond to queries about her progress. On 5 February 2020, investigative Stewards directed Mr Trickett to disclose shares in greyhounds he had sold to members of the public from 5 February 2018. He did not disclose that he had sold shares in Ali. On 2 February 2020, Mr Trickett emailed one of the people who bought shares, falsely claiming that Ali was being educated and being encouraged to chase a lure, when she had been spelling for two months. Mr Trickett took Ali to a trainer for two weeks. At that time, the trainer advised Mr Trickett that Ali lacked ability. However, Mr Trickett abandoned her at the trainer’s property. Shortly afterwards, Mr Trickett falsely claimed to a member of the syndicate that Ali was ready to race. Mr Trickett was dishonest with shareholders and investigative Stewards about the circumstances of Ali.
12. Charge 7 concerns a greyhound called “Chopping Spuds”. GRV records show the greyhound was owned by the Chasing Gold Syndicate between 7 April 2018 and 17 March 2020. Three people were listed as shareholders. They were not known to each other. They complained to GRV that Mr Trickett was unresponsive to requests for updates. The greyhound was sold without their knowledge to someone in Western Australia on 17 March 2020 for $500 outright. The purchaser was unaware of any shareholders. Mr Trickett also failed to distribute any prizemoney to shareholders or to consult them about the sale or otherwise about the status of their shares.
13. Charge 8 concerns a greyhound called “George Melbourne”. A group of shareholders purchased shares in George Melbourne from the Chasing Gold Syndicate. A report was made to GRV by a representative of the group to the effect that Mr Trickett was unresponsive to requests for updates. When information was provided, it was misleading and/or false. Mr Trickett was dishonest in respect of those shareholders and failed to make an effort to train the greyhound.
14. Charge 9 concerns Mr Trickett’s misconduct in failing to properly manage syndicates and not comply with basic governance principles. Mr Trickett represented that he would provide ongoing communications to keep shareholders up to date with the progress of their greyhounds, but failed to do so. He lied to Stewards about providing such updates. The lack of information concerned the location, activity and financial status of greyhounds. No financial reports were given and prizemoney was not distributed. When Mr Trickett did occasionally update syndicate members, some information was deliberately withheld and shareholders were often given false expectations.
15. Charge 10 was withdrawn.
16. Charge 11 is under GAR 86(d), which prohibits the provision of false and misleading information regarding a Stewards investigation. On 21 April 2020, Stewards held an inquiry regarding Mr Trickett’s activities. During the inquiry, he told investigative Stewards that he had purchased Chasin Donuts for $1,500 from a Mr Phillips. Mr Phillips said that he did not sell the greyhound to Mr Trickett. Mr Trickett was never registered as the owner of Chasin Donuts. Mr Trickett failed to show proof of ownership when requested to do so and he falsely represented himself to Stewards as the owner of Chasin Donuts.
17. Charge 12 is under GAR 86(p), which prohibits failure to comply with lawful orders of Stewards. This charge concerns firstly, an order made on 5 February 2020 requesting Mr Trickett to provide information about the sale of shares and his governance process pertaining to syndicates. He failed to do so. He sought no clarification of what was required from him and sought no extension of time to comply. The charge also covers similar refusals to comply with orders made in April, June and September 2020.
18. We shall firstly deal with Charges 11 and 12. In so doing, we reiterate that the job of Stewards is hard enough without having to put up with industry participants lying to them and failing to comply with their directions. General deterrence and maintaining the good name of the industry demands strong penalties.
19. On Charge 11, we impose a six month disqualification. On Charge 12, we also impose a six month disqualification and make it cumulative with the penalty imposed on Charge 11.
20. On Charge 1, we impose a disqualification period of four years. A failure to register syndicates strikes at the heart of the syndication process. It is dishonest and results in irregularities in greyhound ownership and lessens confidence in the industry. General and specific deterrence demands strong penalties.
21. On Charges 2 to 9 inclusive, we impose a two year disqualification on each charge for the same reasons as expressed in relation to Charge 1. However, we make each period of disqualification wholly concurrent with the penalty imposed on Charge 1.
22. Subject to what we shall say in the next paragraph, the total period of disqualification in respect of all charges is a period of five years. We note that but for the guilty pleas and cooperation with the Stewards, the penalties would have been significantly higher.
23. The Stewards made submissions consistent with the imposition of a total period of five years disqualification. However, the Stewards were content to have two years of that five years suspended for a period of five years, pending no further breach of any provision of GAR 86. We are content to accept that concession, given the mental health problems which Mr Trickett was experiencing at the time, combined with marital breakdown issues.
24. The overall effective penalty is a disqualification of five years, with two years suspended for a period of five years, pending no further breach of GAR 86. We note that Mr Trickett submitted that the period of disqualification proposed by the Stewards, and now given effect to by the Tribunal, was a fair one.
25. The period of disqualification shall commence with effect from 1 October 2020, being the time at which Mr Trickett’s current suspension, as a result of the investigation into what became these charges, was started.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal