1 July 2022

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**JACK LAUGHER**

**Date of hearing:** 21 June 2022

**Panel:** Magistrate John Doherty (Deputy Chairperson) and Dr Andrew Gould.

**Appearances:** Mr Grant Adams appeared on behalf of the Stewards.

Mr Lance Justice represented Mr Jack Laugher.

**Charge:** Australian Harness Racing Rule (“AHRR”) 168(1)(e) states:

(1)A person shall not before, during or after a race drive in a manner which in the opinion of the stewards is:

 (e) improper.

**Particulars of charge:** The particulars of the charge are that you, Mr Jack Laugher, as the driver of Rocking Stride, which competed in trial 5 at Bendigo on Sunday the 6th of March 2022, did drive in an improper manner, in that rounding the final turn near the 300 metres and racing into the home straight for some distance, you have crossed your reins and applied your whip on no less than 10 occasions with a free hand in a forceful manner outside of the accepted whip rules covered by Australian Harness Racing Rule 35 156(2)(a) and its subrules.

**Plea:** Guilty

**DECISION**

This matter is an appeal against a penalty of 4 weeks suspension imposed by Stewards in relation to the abovementioned charge.

Mr Jack Laugher is a licensed A grade driver, having been first licensed in September 2017. At this time of this offence, he had driven in over 2,800 races and his only income is derived from driving. He has served past penalties for improper driving, but fortunately his prior matters are different to the events which have brought him before this Tribunal.

In this instance, Mr Laugher has always maintained that did not strike his horse and that he only struck the shaft of the sulky. HRV is not in a position to prove otherwise. Notwithstanding that, clearly there has been a breach of the Rule in question. Mr Laugher also acknowledges past indiscretions for breaching the ‘Whip Rules’, AHRR 156(2)(a), and has spent time under suspension.

In their penalty submissions, HRV has stressed the need for denunciation, general and specific deterrence as important considerations in determining an appropriate penalty, as well as Mr Laugher’s driving history, plea of guilty and past cases determined by this Tribunal and its predecessor, the HRV RAD Board.

A further important consideration acknowledged by HRV is that Mr Laugher has completed a HRV mentoring session with Stewards and Mr Lance Justice, so that a reduction in penalty is appropriate because of Mr Laugher’s commitment to the program and consequent moderation of his driving style.

That being so, the appeal is upheld and in substitution of the Stewards penalty this Tribunal imposes a period of 3 weeks suspension of Mr Laugher’s driving license effective from midnight 22 June 2022 and a fine of $300.

Mark Howard
Registrar, Victorian Racing Tribunal