6 November 2019

**DECISION**

**RACING VICTORIA**

**and**

**MR MATTHEW WALKER**

**Date of hearing:** 6 November 2019

**Panel:** Judge John Bowman (Chairperson), Judge Graeme Hicks (Deputy Chairperson) and Judge Julie Nicholson.

**Appearances:** Mr Daniel Bolkunwicz appeared on behalf of the Stewards.

 Mr Matthew Walker failed to attend the hearing.

**Charge:** Australian Rule 232(b) states a person must not fail or refuse to comply with an order, direction or requirement of the Stewards or an official.

**Particulars of charge:** The Stewards have considered your previous failures to attend the offices of Racing Victoria for the purpose of an interview regarding complaints of improper conduct and decided to charge you with breaching AR232(b).

**Plea:** No plea entered

**DECISION**

This matter involves an appeal by Mr Matthew Walker against a decision of the Stewards contained in a letter of 23 October 2019. The decision of the Stewards was that Mr Walker be immediately disqualified on an indefinite basis, the relevant charge being pursuant to AR232(b). The essence of it is that Mr Walker failed to comply with an order, direction or requirement of the Stewards, in that he failed to attend a meeting with the Stewards for the purpose of an interview on 15 August 2019. This followed a series of attempts to arrange earlier interviews, and such attempts being unsuccessful.

The basis of the possible charge for which the Stewards sought to interview Mr Walker was as follows. He was a relevant person for the purpose of S5F(i)b) of the “Racing Act 1958”. Without going into the factual basis in detail, Mr Walker was an accredited photographer, a position which gave him access to areas to which, at some racecourses, the public is not admitted. Some complaints concerning his behaviour during the recent picnic racing season have arisen. There is no need for us to go any further into that.

Mr Walker has been given opportunity after opportunity to attend a meeting with the Stewards and discuss the charge. He in fact attended none. He was given a final opportunity to attend on 15 August 2019. Again, he did not attend. He did not attend the hearing of his appeal today. The Registrar has made many attempts to contact him via telephone. The Registrar has left many messages. Mr Walker has answered none of the recent calls and has not responded to any message. He has not prosecuted his appeal, despite being given every opportunity.

Bearing all of this in mind, we are comfortably satisfied that this appeal should be dismissed.

Mark Howard
Registrar, Victorian Racing Tribunal