8 October 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**SHANE JACK**

**Date of hearing:** 4 October 2021

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

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

Mr Shane Jack represented himself.

**Charge:** Greyhounds Australasia Rule (GAR) 86 (q) states a person (including an official) shall be guilty of an offence if the person-

 (q) commits or omits to do any act or engages in conduct which is in any way detrimental or prejudicial to the interest, welfare, image, control or promotion of greyhound racing.

**Particulars of charge:** On Thursday, 22nd April 2021, Mr Shane Jack behaved in a threatening manner and used insulting and offensive language towards two (2) participants in the public dining area of Warragul Greyhound Racing Club. Investigative Stewards opened an Inquiry with Mr Jack regarding him engaging in conduct which was detrimental or prejudicial to the interest, welfare, image, control of greyhound racing that had occurred at the Warragul Greyhound Racing Complex on Thursday 22nd April 2021. Investigative Stewards heard evidence from Mr Jack during the Inquiry. Mr Jack denied his actions were aggressive nor his language inappropriate whilst at the Warragul Greyhound Complex and he provided context around his behaviour. He was not remorseful of his actions. After considering the evidence, Investigative Stewards charged Mr Jack with a breach of GAR 86 (q) in that he used insulting and offensive language and demonstrated threatening behaviour.

**Plea:** Not Guilty

**DECISION**

On 13 September 2021, Mr Marwan El-Asmar forwarded a letter, via email, to Mr Shane Jack advising him that the charge pursuant to Greyhounds Australasia Rule (GAR) 86(q), and the penalty imposed on Friday 23 July 2021, being a $750 fine with $250 suspended for 12 months, would be withdrawn by the Greyhound Racing Victoria (“GRV”) Stewards.

Mr El-Asmar was under the impression that Mr Jack would contact the VRT Registrar to withdraw his appeal.

On 4 October 2021, Mr Jack advised the Victorian Racing Tribunal that he wished to proceed with the appeal.

The GRV Stewards made an application under section 50Q(2) to withdraw the charge against Mr Jack.

Acting under the provisions of section 50Q(2) the Victorian Racing Tribunal dismissed the appeal.

Mark Howard
Registrar, Victorian Racing Tribunal