7 December 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**VINCE TULLIO**

**Date of hearing:** 21 October 2021

**Panel:** Judge John Bowman (Chairperson),Justice Shane Marshall (Deputy Chairperson) and Dr June Smith.

**Appearances:** Mr Justin Hooper, instructed by Mr Marwan El-Asmar, appeared on behalf of the Stewards.

Mr Lynton Hogan appeared on behalf of Mr Tullio.

Mr Cameron Day appeared as a witness.

Mr David Leech appeared as a witness.

Mr Simon McLean appeared as a witness.

Mr Peter Ryan appeared as a witness.

Mr Vince Tullio appeared as a witness.

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

(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(o) states:

(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;

**Particulars of charges: Charge 1**

1. You were at all relevant times, a trainer registered with GRV (Member No. 219629) and a person bound by the GRV Rules of Racing, including the Greyhounds Australasia Rules and local racing rules.
2. On Friday the 2nd of November 2018, Mr Cameron DAY and Mr Shane BETTESS **(GRV Stewards)** opened an official inquiry with you regarding the bone fides of race one (1) at Geelong “Come and Join Bingo @ Beckley Each”.
3. During this inquiry, you made a false statement to the Stewards in that you stated that you only bet with ‘Sportsbet’ and that you did not place any single out bets on race one (1) at Geelong on Friday the 2nd of November 2018.
4. You had placed fifteen individual bets on the greyhound ‘Shining’ on the 1st of November 2018 being the race, totalling $,1599.80 using your ‘Bet 365’ account.

**Charge 2**

1. You were at all relevant times, a trainer registered with GRV (Member No. 219629) and a person bound by the GRV Rules of Racing, including the Greyhounds Australasia Rules and local racing rules.
2. On Friday the 2nd of November 2018 you had three greyhounds nominated to race in race one (1) at Geelong, ‘Come and Join Bingo @ Beckley Each.’
3. At approximately 4.21 P.M. on Thursday the 1st of November 2018 you scratched the greyhound ‘Shining’ from race one (1) due to illness.
4. Between 8.28 P.M. and 10.36 P.M. on Thursday the 1st of November 2018 you placed fifteen (15) individual fixed win bets on ‘Shining’ using your ‘Bet 365’ account after you had scratched the greyhound.
5. You have done a thing which in the opinion of the Stewards as the case may be, is negligent, dishonest, corrupt, fraudulent or improper, or constitutes misconduct;

**Plea:** Not Guilty

**DECISION**

1. Mr Vince Tullio was found guilty by the Tribunal of two offences after a contested hearing. The first offence was under Greyhounds Australasia Rule (“GAR”) 86(o), which prohibits dishonest or improper conduct or misconduct. The second offence was under GAR 86(d), which prohibits the making of false statements to Stewards.
2. The decision of the Tribunal in which Mr Tullio was found guilty of those charges was published on 26 August 2021. That decision should be read in conjunction with this decision.
3. The issue before the Tribunal is as to the penalty which should be imposed for the abovementioned breaches of the Rues of greyhound racing.
4. On the charge under GAR 86(o), the Tribunal was satisfied that Mr Tullio engaged in conduct that was dishonest, improper and constituted misconduct by placing money on a scratched greyhound with an intention to manipulate the betting market.
5. The offence is a serious one. Conduct which amounts to a breach of GAR 86(o) strikes at the integrity of greyhound racing. The offending in this particular case is certainly serious, given its intention, even if the execution of it remains somewhat mystifying.
6. To reiterate briefly what was set out in our earlier decision, three greyhounds trained by Mr Tullio were entered in the one race at Geelong. On the day before the race, two became ill and one, Shining, at some stage was scratched. That night, Mr Tullio attended a poker night at a club. Information concerning the scratching had not reached the relevant betting agency. He then had some 15 bets totalling almost $1,600 on Shining, knowing it to have been scratched. The market was immediately affected. This included increasing the odds of his other two dogs, but he did not back them that evening.
7. As we have found, Mr Tullio intended to and did manipulate the market. What he intended to achieve is another matter. There is no suggestion that this was some sort of “no start given” betting arrangement or market. It was normal betting with a betting agency. Once the scratching of Shining was known, the market would have been adjusted, with reduction of dividends in relation to the remaining runners. Mr Tullio’s behaviour remains something of a mystery, but he intended to manipulate, and for a brief period did manipulate, the market by placing 15 bets on a dog which he trained and which he knew to be scratched.
8. The offence is a very serious one. The conduct, which amounted to a breach of GAR 86(o), struck at the integrity of betting on greyhound racing. The offending here is of a very serious kind. Manipulation of the betting market is a gross breach of trust in relation to the public, especially when it occurs as a result of action by a registered trainer. Market manipulation undermines the confidence of the betting pubic in greyhound racing and damages the image of the industry. The important point in this case is that Mr Tullio’s actions had the prospect for the market to be manipulated as a result of the placing of 15 separate bets on a greyhound he knew to have been scratched and a greyhound which he trained.
9. General deterrence, denunciation of the conduct and just punishment dictate that a penalty be imposed which will boost confidence in the public that conduct such as that engaged in by Mr Tullio will be dealt with by appropriate sanctions. In setting a penalty, we take into account Mr Tullio’s prior offending concerning misconduct towards Stewards in 2017 and an offence committed in 2018 for conduct detrimental to the image of racing. We further take into account recent penalties in comparable matters. In all the circumstances we impose a penalty of 2 years disqualification, commencing from the date of the publication of this decision.
10. On the charge under GAR 86(d), the Tribunal found that Mr Tullio made a knowingly false statement to the Stewards during an investigation. The job of the Stewards is sufficiently difficult without registered participants making false statements to them and making their work even harder. Giving false evidence to the Stewards is a serious offence.
11. On this charge we impose a period of suspension of two months, to be served concurrently with the penalty under GAR 86(o). That penalty will be served concurrently, because the matter arises out of the same sub-stratum of facts as the charge under GAR 86(o).

Mark Howard
Registrar, Victorian Racing Tribunal