7 July 2023

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**LAURIE ROUNDS**

**Date of hearing:** 5 July 2023

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

**Appearances:** Mr Anthony Pearce appeared on behalf of the Stewards.

Mr Laurie Rounds did not attend the hearing.

**Charges:** Greyhounds Australasia Rule (“GAR”) 156(f)(ii) states:

An offence is committed if a person (including an official):

(f) has, in relation to a greyhound or greyhound racing, done something, or omitted to do something, which, in the opinion of a Controlling Body or the Stewards:

(ii) constitutes misconduct or is negligent or improper.

GAR 165(c)(ii) states:

An offence is committed if a person (including an official):

(c) engages in contemptuous, unseemly, improper, insulting, or offensive conduct or behaviour in any manner or form towards, or in relation to:

(ii) any officer, employee or member of a Controlling Body.

GAR 164(b) states:

(b) refuses or fails to attend or to give evidence at an inquiry (or at any other disciplinary process, hearing or appeal proceeding) or produce a document or other thing in relation to an investigation, examination, test or inquiry (or other disciplinary process, hearing or appeal proceeding) pursuant to the Rules when directed by a Controlling Body, the Stewards, or another authorised person.

GAR 165(b)(ii) states:

An offence is committed if a person (including an official):

(b) publishes or causes to be published, or broadcasts or causes to be broadcast, the use of any contemptuous, unseemly, improper, insulting, or offensive language in any manner or form towards, or in relation to:

(ii) any officer, employee or member of a Controlling Body.

**Particulars of charges: Charge 1: GAR 156(f)(ii)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 19787) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. On 19 July 2022, you were contacted by Greyhound Racing Victoria employee John McGuire concerning a Greyhound Adoption Program (“GAP”) pre-entry assessment appointment for your greyhound “Shanty Man” (VJHUD) on 25 July 2022.
3. Mr McGuire advised you that the appointment for Shanty Man had been deferred due to concerns surrounding Shanty Man’s vaccination status.
4. During the conversation with Mr McGuire you demanded Shanty Man go to GAP on Monday for his appointment or you would put it down.
5. GRV alleges that this conduct is improper.
6. Mr McGuire is an employee of the Controlling Body – GRV.
7. GAR 156 (f) (ii) is a serious offence.

**Charge 2: GAR 156(f)(ii)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 19787) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. On 19 July 2022, you were contacted by Greyhound Racing Victoria employee Josie Gibilisco concerning a Greyhound Adoption Program (“GAP”) pre-entry assessment appointment for your greyhound “Shanty Man” (VJHUD).
3. Ms Gibilisco advised you that the appointment for Shanty Man had been deferred due to concerns surrounding Shanty Man’s vaccination status.
4. During the conversation with Ms Gibilisco you stated that “You have left me with no choice the dog will not see teatime on Tuesday because I will shoot it.”
5. GRV alleges that this is improper.
6. Ms Gibilisco is an employee of the Controlling Body – GRV.
7. GAR 156 (f) (ii) is a serious offence.

**Charge 3: GAR 156(f)(ii)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 19787) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. On 19 July 2022, you spoke to Greyhound Racing Victoria employee Angus Downing concerning a Greyhound Adoption Program (“GAP”) pre-entry assessment appointment for your greyhound Shanty Man.
3. Mr Downing advised you that the appointment for Shanty Man had been deferred due to concerns surrounding Shanty Man’s vaccination status.
4. During the conversation with Mr Downing you made the following statements:

* *“If GRV GAP can’t take the dog on Monday, the dog will be put down”* and further;
* *“Mate, do you want to send the media round on Tuesday morning? Because I’ll show them how to put a dog down… I don’t give a fuck about my licence”* and further;
* *“I’ve got a heap of greyhounds mate and they’ll be the same”…“they’ll be the same as this dog; I’ll put them down”.*

1. GRV allege that this is improper.
2. Mr Downing is an employee of the Controlling Body – GRV.
3. GAR 156 (f) (ii) is a serious offence

**Charge 4: GAR 165(c)(ii)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 19787) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. On 19 July 2022, you spoke to Greyhound Racing Victoria employee Angus Downing concerning a Greyhound Adoption Program (“GAP”) pre-entry assessment appointment for your greyhound Shanty Man (VJHUD).
3. Mr Downing advised you that the appointment for Shanty Man had been deferred due to concerns surrounding Shanty Man’s vaccination status.
4. During that call you used the following language, which individually and altogether, was contemptuous, unseemly, improper and insulting towards Downing:
5. Mr Downing is an employee of the Controlling Body – GRV.
6. GAR 165 (c) (ii) is a Serious Offence.

**Charge 5: GAR 164(b)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 19787) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. On 20 July 2022, a Notice of Inquiry from Investigative Stewards of GRV was personally served on you and directed you to attend at an inquiry to be held at Cranbourne Greyhound Racing Club on the 21 July 2022 at 1 PM.
3. You failed to attend at the inquiry as required at the appointed time.
4. GRV Investigative Stewards phoned you at 1.10pm on 21 July 2022 to ascertain your whereabouts and give you the opportunity to participate in the inquiry. You declined and terminated the phone call.
5. GAR 164 (b)is a Serious Offence.

**Charge 6: 164(b)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 19787) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. On 21 July 2022, you failed to attend at an inquiry to be held at Cranbourne Greyhound Racing Club at 1 PM.
3. On that date you were contacted personally by Investigative Stewards by phone at 1.10 PM and advised you of your requirements to attend the inquiry which you declined to do.
4. Investigative Stewards then attempted to hold the inquiry with you on the phone at which time you terminated the call thereby refusing to participate in the inquiry
5. GAR 164 (b) is a Serious Offence.

**Charge 7: 165(b)(ii)**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (“GRV”) (Member No. 19787) and a person bound by the Greyhounds Australasia Rules (“GAR”) and Local Racing Rules (“LR”).
2. On 20 July 2022, you caused to be broadcast on the public GRV Facebook page a comment towards employees of GRV concerning the Greyhound Adoption Program.
3. In that comment you used the following language, which individually and altogether, was contemptuous, unseemly, improper, insulting and offensive:

*"Why don't GRV get theregreyhound adoption program running propley run by poofters and lesbians handed my licence back after 40years" (sic)*

1. The comment was visible to all users of the GRV Facebook page at the time you caused the comment to be broadcast.
2. GAR 165 (b) (ii) is a Serious Offence.

**Pleas:** Not Guilty to all charges

**PENALTY**

1. In a decision delivered on 7 June 2023 and published on 9 June 2023 (“the liability decision”), the Tribunal found Mr Rounds guilty of six charges laid against him by Greyhound Racing Victoria (“GRV”) Stewards. For the purposes of findings of fact made by the Tribunal relevant to penalties, that decision must be read together with this decision.
2. The offences committed by Mr Rounds are extremely serious. It is difficult enough for GRV officials, and especially Investigative Stewards, to perform their functions without being the subject of abuse by industry participants or by their ignoring requests to attend an inquiry.
3. The penalty hearing was set down with Mr Rounds acquiescence, and in his presence on the telephone, immediately after the delivery of the reasons for the liability decision. However, Mr Rounds failed to attend this hearing or to arrange anyone to appear on his behalf.
4. Mr Rounds showed no remorse for his actions during the liability hearing. General deterrence and specific deterrence loom large in this matter, especially general deterrence.
5. On Charges 1 and 2, we impose a penalty of $1,000 on each charge. On Charge 3, we impose a penalty of $2,000, because the abuse of the relevant official was more egregious.
6. On Charge 4, which involved repeated derogatory comments directed at Mr Downing, we impose a penalty of 12 months disqualification.
7. On Charge 5, failure to attend the inquiry, we take into account the manner in which Mr Rounds refused to attend the inquiry, which showed contempt of the process. On this charge, we impose a penalty of 12 months disqualification, to be served cumulatively on the penalty imposed on Charge 4.
8. Charge 7 involves disgusting Facebook comments, as referred to in the liability decision. On this charge, we impose a penalty of 12 months disqualification, to be served cumulatively on the penalties imposed on Charges 4 and 5.
9. The total period of disqualification is three years and the total fine is $4,000. We note that Mr Rounds has been subject to a suspension since 22 July 2022. The three year disqualification shall be operative from 22 July 2022. The fine is payable forthwith.

Kathleen Scully

Assistant Registrar, Victorian Racing Tribunal