

**Non Raceday Inquiry RIU v A McCook and J Jopson - Decision dated 4 October 2017 - Chair, Mr D Jackson**

**Rules:**

**Repondent(s)/Other parties:**

**Name(s):**

**Decisions:**

**BEFORE A JUDICIAL COMMITTEE**

**UNDER** the Greyhound Rules of Racing

**IN THE MATTER** of Information No. A09951

**BETWEEN MR S WALLIS,**

Stipendiary Steward for the Racing Integrity Unit

**Informant**

**AND MR ANDREW MCCOOK and MISS JANINE JOPSON,** Public Trainers

**Respondents**

**Date of Hearing:** 29 September 2017

**Venue:** Addington Raceway, Christchurch

**Judicial Committee:** D Jackson, Chair - R McKenzie, Committee Member

**Present:** Mr N Ydgren, Chief Stipendiary Steward

Mr S Wallis, Stipendiary Steward

**Date of Decision:** 4 October 2017

**DECISION OF JUDICIAL COMMITTEE**

**The Charge**

[1] Information No. A09951 is addressed to the Respondents and alleges that:

*"You presented your greyhound WAKEUP SUSIE to race 2.1 kilograms up in weight from when it last [sic] preformed on the 12th September 2017."*

**The Rules**

[2] Rule 45.11 provides as follows:

*"Where the weight of a greyhound recorded at a meeting varies by more than one and a half (1.5) kilograms from the weight recorded in a race in which it last performed, that greyhound shall be permitted to compete in the current race, but the trainer of the greyhound shall be guilty of an offence unless permission has been granted under Rule 45.12"*

[3] Rule 66.5 provides a judicial committee with jurisdiction to hear and determine a third breach of the Rules, which offence would ordinarily be dealt with by way of minor infringement offence but for the offence being the third breach of its kind.

**The Plea**

[4] Mr McCook and Miss Jopson admitted the charge and countersigned the information recording their admission and the fact that they did not wish to be present at the hearing of this information. The hearing proceeded in their absence.

**Summary of Facts**

[5] Mr Wallis outlined the following:

5.1 The respondents presented their greyhound WAKEUP SUSIE to race at the Christchurch Greyhound Racing Club's meeting on the 26th of September 2017 in circumstances where it weighed 2.1kg more than when it last raced on 12 September 2017.

5.2 Mr Wallis confirmed that this was the respondents' third breach of the rule in circumstances where their prior (second) breach was within 21 days, which under the Rules meant that this third offence must be referred to the Judicial Committee.

5.3 Mr Wallis explained that the three prior breaches occurred on 16 June (1.8kg over), 22 August (1.6kg over) and the breach the subject of this charge. All three charges concerned different dogs.

#### **Submissions of Informant on Penalty**

[6] Mr Wallis referred to the fact that the respondents were busy trainers having raced 1000 dogs last year and approximately 153 dogs this year. It was a busy kennel and by virtue of the fact that three dogs have breached the rule, the respondents ought to be fined \$150.00.

#### **Reasons for Penalty**

[7] In determining penalty the Committee took into account the submissions made by Mr Wallis. The Committee had regard to the Rules and in particular the Sixth Schedule of the Rules which sets out a minor infringements table. On balance and having regard to that table and to Mr Wallis' submission, the fine sought by the Racing Integrity Unit is fair and is appropriate for a transgression of this type.

[8] The Committee therefore determined that a \$150 fine was an appropriate penalty.

#### **Penalty**

[9] The respondents are fined \$150 for this their third breach of this rule.

D Jackson	R McKenzie
Chair	Committee Member

#### **Penalty:**