

DECISION

The Rules of Racing of Racing Queensland – Greyhounds
Part 9, Division 6: Conduct detrimental to the interests of greyhound racing

Inquiry Number:	G-27-001
Participant:	Mark Archer
Stewards:	Andrew Spence (Chairperson) Michael Fernholz (Panel)
Code:	Greyhounds
Rule:	Greyhounds Australasia Rule 165(b)(iv) <i>An offence is committed if a person (including an official) 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 a Steward or any other official of a Controlling Body or Club.</i>
Penalty Notice:	PN-013273
Hearing Date:	8 July 2026
Decision Date:	13 July 2026
Charge:	Mr Mark Archer, being a registered participant bound by the Greyhounds Australasia Rules, did publish or cause to be published on Facebook insulting and offensive comments directed towards or in relation to a QRIC Steward, thereby committing an offence under GAR 165(b)(iv).
Plea:	No plea entered
Finding of Charge:	Guilty
Penalty:	18-months Disqualification

Reasons for Decision

Background

1. The participant in this inquiry is Mr Mark Archer, an owner and kennel attendant licensed with the Queensland Racing Integrity Commission (QRIC). Mr Archer has been a kennel attendant since September 2024 and an owner since September 2025. Mr Archer was at all relevant times bound by The Rules of Racing of Racing Queensland – Greyhounds ('the Rules').

2. On Wednesday, 1 July 2026 the QRIC Stewards received a copy of a Facebook comment which appeared to be associated to Mr Archer. The contents of that comment appeared in nature to be insulting and offensive and targeted towards a specific Steward employed by the Commission.
3. On Tuesday, 7 July 2026 the QRIC Stewards contacted Mr Archer to direct him to attend an inquiry to be held on Wednesday, 8 July 2026. During that phone call Mr Archer was argumentative and used offensive language towards the Stewards and advised he would not participate in an inquiry. Mr Archer was cautioned that failing to attend or give evidence at an inquiry may constitute an offence under the rules. An inquiry notice and exhibits were emailed that day to Mr Archer's registered email address.
4. On Wednesday, 8 July 2026 the QRIC Stewards commenced an inquiry hearing at which Mr Archer refused to be contactable and did not therefore participate in the inquiry. Stewards considered the powers afforded to them under the provisions of Greyhounds Australasia Rule (GAR) 170(6) where if a person is served with the notice of an inquiry but does not appear at the inquiry it may proceed in the absence of that person. After assessing the relevant exhibits and the purpose of the inquiry, along with the phone call response on the day prior to the inquiry, the Stewards determined to proceed forward with the inquiry in the absence of Mr Archer.
5. Before the Stewards at the inquiry was evidence of a screen capture of a Facebook comment alleged to be published by Mr Archer. The Facebook comment is as follows:

"Don't blame you mate there making our industry harder by the day we gotta dickhead Steward up here in Townsville named Kieran who is literally fuckin Townsville no one likes the 25 year old costarpo who couldn't be a copper so become a Steward just destroying a sport we love."

Charge

6. After considering all available evidence the Stewards issued the following charge:

RULE: GAR 165(b)(iv) An offence is committed if a person (including an official) 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 a Steward or any other official of a Controlling Body or Club.

CHARGE: Mr Mark Archer, being a registered participant bound by the Greyhounds Australasia Rules, did publish or cause to be published on Facebook, insulting and offensive comments directed towards or in relation to a QRIC Steward, thereby committing an offence under GAR 165(b)(iv).

7. The Stewards noted a 'No plea entered' into the record on behalf of Mr Archer.

Consideration of Charge

8. The rule requires the consideration of four elements to be established to satisfy that the charge was proven. These elements include establishing: 1) a person is bound by the rules, 2) that something was published by the person 3) that the content published by the person was directed at a Steward, and 4) that the content published by the person was insulting and/or offensive.
9. The first element required the Stewards to prove a person was bound by the rules. Being that a *person* as defined under the Rules (GAR 9) means any person or body corporate whether or not registered by a *Controlling Body*, who by their position or conduct is connected in some way to *greyhound racing*. Mr Archer's licences meet the requirements of this first element.
10. The second element of the charge was regarding the publishing of the Facebook comment. *Publish* means under the Rules (GAR 9) to cause to be printed in any electronic or print publication or readable format (by whatever means available, including any internet service or facility, and including via social media). The evidence considered establishes that the Facebook comment was published as defined by the Rules.
11. Additional to this section particularised, the Stewards were comfortably satisfied the post was made by Mr Archer, principally relying on the preferred first name of 'Archie' being present in the Facebook account name, as utilised by Mr Archer in his OzChase user profile. Further, the Facebook account also contained a profile display image of Mr Archer. Also, in the phone on Tuesday, 7 July 2026 when being notified of the inquiry Mr Archer responded that he could say whatever he wants on Facebook, indicating he was aware of the referred Facebook comment.
12. The third element of the charge is in relation to who the publication was directed towards. The Facebook comment mentions "Kieran" as being a "Steward", and the Stewards take that as to mean Mr Kieran Dean who is a Steward with the Commission. The Stewards find this element of the charge as being satisfied.
13. The fourth element of the charge was to consider the content and language used within the Facebook comment and determine if it met the requirements of being "insulting" and/or "offensive". The Stewards considered the entirety of the publication, including the repeated use of derogatory language directed at a named Steward, the personal nature of the comments, and the apparent reference to the term Gestapo, through the use of the word costarpo. The Stewards consider that the publication, when read objectively and as a whole, contains language that is prima facie insulting and offensive toward a Steward and is capable of undermining confidence in officials performing their duties under the Rules of Racing.
14. Specifically, the publication referred to the Steward as a "dickhead Steward", alleged that "no one likes" the Steward, suggested the Steward became a Steward because he "couldn't be a copper", and alleged the Steward was "just destroying a sport we love". The Stewards determined that these comments were directed personally at a named Steward and were intended to ridicule, denigrate and disparage that official in the performance of his duties.
15. Further, the comment contained the term "costarpo". The Stewards believe that this term is likely a spelling error, phonetic variation, or misspelling of the word "Gestapo". The

Gestapo was the secret state police organisation of Nazi Germany, and the term is commonly understood as a reference to oppressive, authoritarian, abusive or politically motivated law enforcement conduct. The Stewards consider that the apparent use of this term in relation to a QRIC Steward is highly offensive, insulting and derogatory in nature. The Stewards determined that the apparent comparison of a QRIC Steward to the Gestapo was intended to belittle, ridicule and insult the Steward concerned and constitutes offensive and insulting language directed towards, or in relation to, a Steward.

16. The Stewards further determined that the publication, taken as a whole, contained multiple derogatory and offensive remarks concerning a named Steward and was capable of bringing the Steward into disrepute, undermining public confidence in racing officials, diminishing respect for the role of Stewards, and adversely affecting the image and standing of greyhound racing and the Commission. The Stewards were satisfied the fourth element of the charge was proven.
17. Having regard to each of the elements of the charge the Stewards were comfortably satisfied the offence was established on the evidence available for consideration and therefore found the charge proven. For the reasons set out, Mr Archer was formally found guilty of the charge for breaching GAR 165(b)(iv).

Consideration of Penalty

18. The Stewards then turned their attention to the matter of determining an appropriate penalty. When considering an appropriate penalty the Stewards must consider multiple factors including the Rules, the QRIC Greyhound Racing Penalty Guidelines (the 'Penalty Guidelines'), the Human Rights Act (HRA) Qld 2019, and penalty precedents.
19. The Rules provide for penalties that the Stewards can consider to be one or a combination of a reprimand, fine, suspension, disqualification, cancellation of a registration or licence, and/or a warning off (GAR 174). The purpose of these penalties is to empower the Stewards to meet the purposes of the Racing Integrity Act (RIA) 2016 being the maintaining of public confidence in the racing of animals, to ensure the integrity of all persons involved with racing or betting, and to safeguard the welfare of all animals that are or have been involved in racing.
20. The Penalty Guidelines provide a framework for the Stewards to consider an appropriate penalty upon persons bound by the Rules. The Penalty Guidelines formulates that when a penalty is imposed the Commission should give consideration to the following factors, including to: ensure acceptable standards of animal welfare in the industry; ensure a level playing field for all participants and the betting public; maintain community trust and public confidence in the integrity of greyhound racing; deter the individual from committing similar offences (specific deterrence); deter others in the industry from committing similar offences (general deterrence); demonstrate to the industry that the relevant conduct is not acceptable; and, ensure any punishment imposed is appropriate and proportionate, taking into account the specific circumstances of the individual and the offence committed. Table 10 of the Penalty Guidelines sets out penalty ranges for offences under GAR 165(b) with a minimum starting penalty for a first offence being a disqualification for 12 months.
21. The Stewards further note that the Queensland Racing Appeals Panel has recognised that the purpose of penalty under the Rules of Racing is not simply punitive in nature, but is directed towards maintaining the integrity of the racing industry and achieving

appropriate deterrence. In RAP-131 (Lindsay Hatch), the Panel observed that the purpose of a penalty is threefold: firstly, to maintain standards of integrity and animal care within the racing industry; secondly, to provide general deterrence to industry participants by ensuring penalties are sufficiently serious to discourage others from committing similar breaches; and thirdly, to provide specific deterrence to the individual offender. The Panel further noted that the imposition of penalty requires balancing the seriousness of the offending, the need for both specific and general deterrence, and any relevant mitigating factors. The Stewards have adopted those principles in determining an appropriate penalty in the present matter, and considered the principles of general deterrence carry significant weight given the public nature of the Facebook publication, the direct targeting of a named QRIC Steward, and the need to maintain confidence in racing officials undertaking regulatory functions on behalf of the industry.

22. The Stewards considered Mr Archer's culpability to be significant. The conduct was not a spontaneous remark made during a private conversation or a reaction made in the heat of an exchange with officials. Rather, Mr Archer made a conscious decision to publish the comments on a social media platform where they were capable of being viewed by a broad audience. The publication specifically targeted an identifiable QRIC Steward and contained multiple comments that were insulting, derogatory and offensive in nature. Mr Archer retained complete control over whether the comments were posted and had ample opportunity not to publish the material. The Stewards further considered it significant that Mr Archer did not subsequently retract the publication, apologise for the comments or otherwise acknowledge the impropriety of the conduct. The Stewards therefore regard Mr Archer's level of personal responsibility for the offending as high.
23. In mitigation, the Stewards considered that Mr Archer has no recorded disciplinary history and has not previously been found guilty of any breach of the Rules of Racing. The Stewards also acknowledged that Mr Archer is relatively new to the industry, having only held relevant licences since September 2024 and September 2025 respectively. These matters were afforded some weight in his favour.
24. Balanced against those matters were a number of significant aggravating features. The offending conduct involved a deliberate decision to publish the Facebook comment through a social media platform capable of reaching a broad audience. The publication was directed at a specifically identifiable QRIC Steward and contained multiple insulting and offensive remarks concerning that official's competence, character and suitability for the role. The Stewards considered that these factors elevated the offending well beyond the ordinary example of a first offence under GAR 165(b). The conduct was not limited to a momentary loss of temper or an isolated comment. Rather, it involved a deliberate public publication containing multiple insulting and offensive remarks directed towards a named QRIC Steward, including an apparent comparison of the Steward to the Gestapo. The Stewards considered these factors significantly increased the objective seriousness of the offending and elevated the offending beyond that ordinarily contemplated by the minimum starting point prescribed by the Penalty Guidelines.
25. The Stewards considered that the offending conduct was not confined to the Facebook publication itself. Following notification of the inquiry, Mr Archer became argumentative with Stewards, used offensive language during telephone communications, refused to engage with the investigation and ultimately failed to attend the inquiry despite being directed to do so. The Stewards considered this conduct demonstrated a continuing disregard for racing officials and the regulatory framework

established under the Rules of Racing. The aggravating conduct therefore extended beyond the original publication and formed part of the Stewards' assessment of penalty.

Comparative Penalties

26. The Stewards considered a range of available penalty precedents involving offensive, insulting and improper conduct directed towards officials or employees of controlling bodies.
27. In Queensland, the Stewards considered the matter of Eric Conroy, in which a participant engaged in offensive conduct toward a QRIC employee during a telephone conversation and was ultimately penalised by way of a wholly suspended two-month suspension together with a partially suspended monetary penalty. The Stewards noted, however, that Mr Conroy entered an early guilty plea, cooperated throughout the inquiry process and had demonstrated insight into his conduct, all of which materially distinguish that matter from the present case.
28. The Stewards also considered other Queensland matters (Johnstone and Naum) involving conduct and the same rule. Whilst those matters provide some assistance, each must be assessed having regard to its own particular facts, the language used, the method of publication, the level of cooperation with the regulatory process and the participant's disciplinary history.
29. The Stewards further considered the NSW decision involving Nathan Allan, where multiple offensive and derogatory social media publications directed towards an employee of the controlling body resulted in cumulative periods of disqualification totalling twelve months. The Stewards regarded that matter as providing useful guidance regarding the seriousness with which racing authorities view public attacks upon officials and employees responsible for administering and regulating the industry.
30. The Stewards considered the decision of the Victorian Racing Tribunal in Laurie Rounds to be particularly instructive. In that matter, the Tribunal determined that offensive comments directed towards a senior racing official, including referring to the Deputy Chairperson of the Tribunal as a "dickhead", constituted misconduct of a high order which could not be tolerated within the racing industry. The Tribunal further observed that such conduct demonstrated contempt for both the official concerned and the disciplinary framework responsible for administering the sport.
31. Whilst the Stewards considered the reasoning in Rounds to be instructive regarding the seriousness of attacks upon racing officials and disciplinary authorities, the Stewards acknowledge that the offending in that matter occurred in circumstances involving a Tribunal member, arose directly from Tribunal proceedings and reflected an ongoing course of conduct directed toward the disciplinary process itself. The Stewards therefore did not consider complete parity with Rounds to be appropriate. Nevertheless, the Stewards considered that the present matter shared a number of significant features, including offensive conduct directed towards a racing official, conduct capable of undermining confidence in racing administration and subsequent conduct demonstrating disregard for regulatory processes. The Stewards considered that those features justified a penalty materially above the minimum starting point prescribed by the Penalty Guidelines.

32. The Stewards regarded the present matter as more serious than the Queensland matters involving Conroy, Johnstone and Naum, where participants either cooperated with the regulatory process, entered admissions, or where the conduct was otherwise less serious in nature. The Stewards considered the circumstances of this matter to be more closely aligned with the disciplinary outcomes imposed in Nathan Allan and Laurie Rounds, both of which involved serious attacks upon racing officials and regulatory authorities. The Stewards considered that public attacks on racing officials, coupled with contemptuous conduct towards disciplinary processes, strike at the integrity of the regulatory framework and warrant a penalty materially above the minimum starting point contained within the Penalty Guidelines.

Human Rights

33. The Stewards have considered their obligations under the Human Rights Act 2019 (Qld), including the rights protected under section 24 concerning property rights. The Stewards acknowledge that a period of disqualification may affect Mr Archer's ability to participate within the racing industry and may impact the benefits associated with his licences and racing interests.
34. The Stewards are nevertheless satisfied that any limitation upon those rights is reasonable and demonstrably justified having regard to the objectives of the Racing Integrity Act 2016 and the Rules of Racing, including maintaining public confidence in the racing industry, preserving the integrity of the regulatory framework and protecting officials undertaking regulatory functions.
35. The Stewards considered the full range of penalties available under GAR 174, including a reprimand, fine and suspension. However, having regard to the seriousness of the conduct, the public nature of the publication, the personal attack upon a named Steward, the apparent comparison to the Gestapo, and Mr Archer's refusal to engage with the inquiry process, the Stewards were satisfied that those lesser penalties would not adequately achieve the objectives of specific and general deterrence.
36. The Stewards therefore determined that a period of disqualification represents the least restrictive penalty reasonably available that is capable of achieving the legitimate objectives of the Racing Integrity Act 2016, protecting confidence in racing officials, demonstrating to industry participants that such conduct is unacceptable, and deterring both Mr Archer and other industry participants from engaging in similar conduct in the future.

Penalty Decision

37. Having considered all the circumstances, including the seriousness of the offending, the aggravating and mitigating factors, the relevant penalty precedents, the principles of specific and general deterrence, and the Human Rights Act 2019 (Qld), the Stewards determined that the minimum starting point of twelve (12) months disqualification prescribed by the QRIC Greyhound Racing Penalty Guidelines did not adequately reflect the objective seriousness of the offending in the present matter.
38. Weight was given to:
- a. the deliberate public publication of the comments;
 - b. the direct targeting of an identifiable QRIC Steward;
 - c. the multiple offensive and insulting remarks contained within the publication;

- d. the apparent comparison of the Steward to the Gestapo;
 - e. the capacity of the publication to undermine confidence in racing officials and the regulatory framework; and
 - f. Mr Archer's refusal to cooperate with the inquiry process and continuing offensive conduct towards Stewards.
39. The Stewards considered that these factors substantially increased the seriousness of the offending and warranted an uplift from the prescribed starting point. The Stewards further considered that, whilst the offending did not warrant complete parity with the circumstances considered in Rounds, it nevertheless involved aggravating features materially beyond those ordinarily present in a first offence under GAR 165(b).
40. The Stewards therefore determined that an uplift from twelve (12) months disqualification to eighteen (18) months disqualification appropriately balances the seriousness of the offending, the need to maintain public confidence in racing administration, the principles of proportionality and the requirements of specific and general deterrence.
41. Pursuant to GAR 174, Mr Mark Archer is disqualified for a period of eighteen (18) months. The period of disqualification is to commence immediately.

Right of Review

42. Mr Archer has been advised that pursuant to Chapter 6 of the Racing Integrity Act 2016 (Qld), the right for a review of a racing decision of a steward is provided, noting any application for review must be made within three (3) business days of this decision