

## Stewards' Report

- Date:** Monday, 17 April 2023
- Panel:** Mr W Hadley (Chairperson), Ms A Turner, Mr M Fernholz
- Person:** Mr Andrew Clarke
- Rule:** GAR 164(a), GAR 156(x), GAR 156(f)(i), GAR 163(a)(i)
- Charges:**
1. Engaging in corrupt behaviour in association with greyhound racing on or around 4 August 2022.
  2. Engaging in corrupt behaviour in association with greyhound racing on or around 4 August 2022.
  3. Engaging in corrupt behaviour in association with greyhound racing on or around 4 August 2022.
  4. Engaging in corrupt behaviour in association with greyhound racing on or around 4 August 2022.
  5. Engaging in corrupt behaviour in association with greyhound racing on or around 4 August 2022.
  6. Engaging in corrupt behaviour in association with greyhound racing on or around 4 August 2022.
  7. Engaging in corrupt behaviour in association with greyhound racing on or around 4 August 2022.
  8. Engaging in corrupt behaviour in association with greyhound racing on or around 4 August 2022.
  9. Engaging in conduct that is detrimental or prejudicial to the interest, welfare, image, control, or promotion of greyhound racing on or around 4 August 2022.
  10. Association with warned off person Mr Trent Harding for the purposes of greyhound racing in or around August 2022
  11. Making a false statement at a Stewards' inquiry on or around 16 September 2022
- Penalty:**
- Charge 1. Three (3) year disqualification effective 22 September 2022
- Charge 2. As this was an alternative to charge 1 no plea or penalty required.
- Charge 3. Three (3) year disqualification to be served concurrently with Charge 1.
- Charge 4. As this was an alternative to charge 3 no plea or penalty required.
- Charge 5. Three (3) year disqualification to be served concurrently with Charge 1.
- Charge 6. As this was an alternative to charge 5 no plea or penalty required.
- Charge 7. Three (3) year disqualification to be served concurrently with Charge 1.
- Charge 8. As this was an alternative to charge 7 no plea or penalty required.
- Charge 9. Three (3) year disqualification to be served concurrently with Charge 1.
- Charge 10. Six (6) month disqualification to be served cumulative with Charge 1.
- Charge 11. Six (6) month disqualification to be served cumulative with Charge 10.

The Queensland Racing Integrity Commission Stewards concluded an inquiry in respect of Mr Andrew Clarke offering monetary compensation to greyhound racing participants in return for them scratching their greyhounds from Race 1 at Ipswich Greyhound Racing Club on 8 August 2022.

After considering all of the evidence, Stewards issued eleven (11) charges to Mr Clarke pursuant to the Greyhounds Australasia Rules as follows:

**Charge 1:** Issued pursuant to Greyhounds Australasia Rule 163(a)(i), which provides:

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

*(a) in connection with greyhound racing:*

*(i) corruptly;*

*accepts, or offers to accept, offers, or gives, any money, share in a bet or other benefit to any person, including but not limited to a person having duties in relation to the breeding and/or the registration of greyhounds or any person having charge of, or access to, a greyhound.*

The specifics of Charge 1 are as follows:

Mr Andrew Clarke, as a licensed greyhound trainer, did corruptly give \$300.00 to licensed greyhound trainer Mr Matthew Evans via bank transfer on or around 4 August 2022 to scratch the greyhound Uncle Charlie, of which Mr Evans was the trainer, from Race 1 at the Ipswich Greyhound Racing Club on 8 August 2022 to enable the greyhound Aerobic Rouge, of which Mr Clarke were the trainer, to gain a start in that race and that he did corruptly give a further \$300.00 to Mr Evans via bank transfer on or around 11 August 2022 upon the greyhound Aerobic Rouge winning that same race.

In the alternative to Charge 1 –

**Charge 2:** Issued pursuant to Greyhounds Australasia Rule 156(f)(i), which provides:

*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:*

*(i) is corrupt, fraudulent, or dishonest.*

The specifics of Charge 2 are as follows:

Mr Andrew Clarke, as a licensed greyhound trainer, did give \$300.00 to licensed greyhound trainer Mr Matthew Evans via bank transfer on or around 4 August 2022 to scratch the greyhound Uncle Charlie, of which Mr Evans was the trainer, from Race 1 at the Ipswich Greyhound Racing Club on 8 August 2022 to enable the greyhound Aerobic Rouge, of which Mr Clake were the trainer, to gain a start in that race and that he did give a further \$300.00 to Mr Evans via bank transfer on or around 11 August 2022 upon the greyhound Aerobic Rouge winning that same race which conduct, in the opinion of the Stewards, is corrupt.

**Charge 3:** Issued pursuant to Greyhounds Australasia Rule 163(a)(i), which provides:

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

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*(a) in connection with greyhound racing:*

*(i) corruptly;*

*accepts, or offers to accept, offers, or gives, any money, share in a bet or other benefit to any person, including but not limited to a person having duties in relation to the breeding and/or the registration of greyhounds or any person having charge of, or access to, a greyhound.*

The specifics of Charge 3 are as follows:

Mr Andrew Clarke, as a licensed greyhound trainer, did corruptly offer approximately \$700.00 to licensed greyhound trainer Mr Jeffrey Henzell via telephone on or around 4 August 2022 to scratch the greyhound Chasing Bucks, of which Mr Henzell was the trainer, from Race 1 at the Ipswich Greyhound Racing Club on 8 August 2022 to enable the greyhound Aerobic Rouge, of which Mr Clarke were the trainer, to gain a start in that race and that he did corruptly offer approximately a further \$300.00 to Mr Henzell if the greyhound Aerobic Rouge were to win that same race.

In the alternative to Charge 3 –

**Charge 4:** Issued pursuant to Greyhounds Australasia Rule 156(f)(i), which provides:

*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:*

*(i) is corrupt, fraudulent, or dishonest.*

The specifics of Charge 4 are as follows:

Mr Andrew Clarke, as a licensed greyhound trainer, did offer approximately \$700.00 to licensed greyhound trainer Mr Jeffrey Henzell via telephone on or around 4 August 2022 to scratch the greyhound Chasing Bucks, of which Mr Henzell was the trainer, from Race 1 at the Ipswich Greyhound Racing Club on 8 August 2022 to enable the greyhound Aerobic Rouge, of which Mr Clarke were the trainer, to gain a start in that race and that he did offer approximately a further \$300.00 to Mr Henzell if the greyhound Aerobic Rouge were to win that same race which conduct, in the opinion of the Stewards, is corrupt.

**Charge 5:** Issued pursuant to Greyhounds Australasia Rule 163(a)(i), which provides:

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

*(a) in connection with greyhound racing:*

*(i) corruptly;*

*accepts, or offers to accept, offers, or gives, any money, share in a bet or other benefit to any person, including but not limited to a person having duties in relation to the breeding and/or the registration of greyhounds or any person having charge of, or access to, a greyhound.*

The specifics of Charge 5 are as follows:

Mr Andrew Clarke, as a licensed greyhound trainer, did corruptly offer approximately \$300.00 to licensed greyhound trainer Mr Paul Sutton via telephone on or around 4 August 2022 to scratch the greyhound Blue Sensation, of which Mr Sutton was the trainer, from Race 1 at the Ipswich Greyhound Racing Club on 8 August 2022 to enable the greyhound Aerobic Rouge, of which Mr Clarke were the

trainer, to gain a start in that race and that he did corruptly offer approximately a further \$500.00 to Mr Sutton if the greyhound Aerobic Rouge were to win that same race.

In the alternative to Charge 5 –

**Charge 6:** Issued pursuant to Greyhounds Australasia Rule 156(f)(i), which provides:

*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:*

*(i) is corrupt, fraudulent, or dishonest.*

The specifics of Charge 6 are as follows:

Mr Andrew Clarke, as a licensed greyhound trainer, did offer approximately \$300.00 to licensed greyhound trainer Mr Paul Sutton via telephone on or around 4 August 2022 to scratch the greyhound Blue Sensation, of which Mr Sutton was the trainer, from Race 1 at the Ipswich Greyhound Racing Club on 8 August 2022 to enable the greyhound Aerobic Rouge, of which Mr Clarke were the trainer, to gain a start in that race and that he did offer approximately a further \$500.00 to Mr Sutton if the greyhound Aerobic Rouge were to win that same race which conduct, in the opinion of the Stewards, is corrupt.

**Charge 7:** Issued pursuant to Greyhounds Australasia Rule 163(a)(i), which provides:

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

*(a) in connection with greyhound racing:*

*(i) corruptly;*

*accepts, or offers to accept, offers, or gives, any money, share in a bet or other benefit to any person, including but not limited to a person having duties in relation to the breeding and/or the registration of greyhounds or any person having charge of, or access to, a greyhound.*

The specifics of Charge 7 are as follows:

Mr Andrew Clarke, as a licensed greyhound trainer, did corruptly offer approximately \$300.00 to licensed greyhound trainer Mr Sam Lees via telephone on or around 4 August 2022 to scratch the greyhound Tiger Knight, of which Mr Lees was the trainer, from Race 1 at the Ipswich Greyhound Racing Club on 8 August 2022 to enable the greyhound Aerobic Rouge, of which Mr Clarke were the trainer, to gain a start in that race and that he did corruptly offer approximately a further \$300.00 to Mr Lees if the greyhound Aerobic Rouge were to win that same race.

In the alternative to Charge 7 –

**Charge 8:** Issued pursuant to Greyhounds Australasia Rule 156(f)(i), which provides:

*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:*

*(i) is corrupt, fraudulent, or dishonest.*

The specifics of Charge 8 are as follows:

Mr Andrew Clarke, as a licensed greyhound trainer, did offer approximately \$300.00 to licensed greyhound trainer Mr Sam Lees via telephone on or around 4 August 2022 to scratch the greyhound

Tiger Knight, of which Mr Lees was the trainer, from Race 1 at the Ipswich Greyhound Racing Club on 8 August 2022 to enable the greyhound Aerobic Rouge, of which Mr Clarke were the trainer, to gain a start in that race and that he did offer approximately a further \$300.00 to Mr Lees if the greyhound Aerobic Rouge were to win that same race which conduct, in the opinion of the Stewards, is corrupt.

**Charge 9:** Issued pursuant to Greyhounds Australasia Rule 156(f)(i), which provides:

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

*(a) 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.*

The specifics of Charge 9 are as follows:

Mr Andrew Clarke, as a licensed greyhound trainer, did contact four (4) licensed greyhound trainers, being Mr Jeffrey Henzell, Mr Paul Sutton, Mr Sam Lees and Mr Matthew Evans, via telephone on or around 4 August 2022 and offered all four (4) trainers money to scratch their respective greyhounds, being Chasing Bucks, Blue Sensation, Tiger Knight and Uncle Charlie, from Race 1 at the Ipswich Greyhound Racing Club on 8 August 2022, which conduct is detrimental to the interest, welfare, image, control and promotion of greyhound racing.

**Charge 10:** Issued pursuant to Greyhounds Australasia Rule 156(x), which provides:

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

*(x) being a registered person or person associated with greyhound racing, associates with a disqualified or warned off person for the purposes of greyhound racing.*

The specifics of Charge 10 are as follows:

Mr Andrew Clarke, as a licensed greyhound trainer, did associate with warned off person Mr Trent Harding via text message in or around August 2022 in respect of placing a bet on the greyhound Aerobic Rouge in Race 1 at the Ipswich Greyhound Racing Club on 8 August 2022.

**Charge 11:** Issued pursuant to Greyhounds Australasia Rule 164(a), which provides:

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

*(a) makes a false or misleading statement in relation to or during an investigation, inspection, examination, test or inquiry (or at any other disciplinary process, hearing or appeal proceeding) or makes or causes to be made a falsification in a document in connection with greyhound racing or the registration of a greyhound.*

The specifics of Charge 11 are as follows:

Mr Andrew Clarke, as a licensed greyhound trainer, did make a false statement during a Stewards' Inquiry on or around 16 September 2022 in that he stated that he made no contact with any trainer in respect of their greyhounds engaged to compete in Race 1 at the Ipswich Greyhound Racing Club on 8 August 2022, which statement he admitted was false at the subsequent Stewards' Inquiry on or around 1 February 2023.

Mr Clarke entered a plea of guilty to Charge 1, Charge 3, Charge 5, Charge 7, Charge 9, Charge 10 and Charge 11. As Charge 2, Charge 4, Charge 6 and Charge 8 were alternative charges no plea or penalty were required.

Stewards confirmed Mr Clarke's plea of Guilty to Charge 1, Charge 3, Charge 5, Charge 7, Charge 9, Charge 10 and Charge 11.

In determining penalty, Stewards considered the following:

- Mr Clarke's plea of guilty to Charge 1, Charge 3, Charge 5, Charge 7, Charge 9, Charge 10 and Charge 11.
- Mr Clarke's time in the greyhound racing industry as a trainer, being approximately seven (7) years.
- Mr Clarke's submissions made in relation to penalty which included consideration of his personal circumstances.
- Mr Clarke's forthright evidence after initially giving false evidence on 16 September 2022.
- The serious nature of Mr Clarke's offending, being engaging in corrupt behaviour in association with greyhound racing, giving false and misleading evidence and association with a warned off person.
- Mr Clarke's conduct having a direct impact on the image and integrity of racing.
- Mr Clarke's disciplinary history noting a three (3) year disqualification in 2017.
- Relevant penalty precedents in respect of Greyhounds Australasia rule 164(a), 156(x), 156(f)(i), 163(a)(i)

Accordingly, the Stewards issued the following penalties;

**Charge 1:** Three (3) year disqualification effective 22 September 2022

**Charge 2:** As this was an alternative to charge 1 no plea or penalty required.

**Charge 3:** Three (3) year disqualification to be served concurrently with Charge 1.

**Charge 4:** As this was an alternative to charge 3 no plea or penalty required.

**Charge 5:** Three (3) year disqualification to be served concurrently with Charge 1.

**Charge 6:** As this was an alternative to charge 5 no plea or penalty required.

**Charge 7:** Three (3) year disqualification to be served concurrently with Charge 1.

**Charge 8:** As this was an alternative to charge 7 no plea or penalty required.

**Charge 9:** Three (3) year disqualification to be served concurrently with Charge 1.

**Charge 10:** Six (6) month disqualification to be served cumulative with Charge 1.

**Charge 11:** Six (6) month disqualification to be served cumulative with Charge 10.

Therefore, the total disqualification period imposed upon Mr Clarke is forty-eight (48) months effective 22 September 2022, the date Mr Clarke was suspended pending the outcome of the inquiry.

Mr Clarke was advised of his right of appeal.