



TRNT Stewards Report – Friday 12th June, 2020

Panel: D Hensler, D Westover

Venue: Alice Springs Stewards Room

The TRNT Stewards today conducted an inquiry into the legitimacy of a series of transfer of ownership documents submitted to TRNT for processing on 9 June, 2020 by licensed stable hand and registered owner Jaidyn Viney.

Jaidyn Viney appeared in person before the Stewards and evidence was also taken from registered owners Ray Viney, Jemma Smith, Neil Morgan and TRNT Senior Steward Robert Hamilton. Jaidyn Viney also complied with a direction from the stewards to present his lap top computer to enable the Stewards to determine the origin of emails that were referred to in evidence.

Subsequently Jaidyn Viney pleaded guilty to the following six charges under the Australian Rules of Racing.

AR229 - A person must not:

(a) engage in any dishonest, corrupt, fraudulent, improper or dishonourable action or practice in connection with racing

Charge 1 – The charge being that he engaged in fraudulent action with the specifics being that as the managing part owner of the racehorse AMERICAN STAR he did knowingly forge the signature of fellow part owner Jemma Smith on a transfer of ownership document and submit that form with TRNT to be processed on 9 June, 2020.

Charge 2 – The charge being that he engaged in fraudulent action with the specifics being that as the managing part owner of the racehorse MILITARY FORCES he did knowingly forge the signature of fellow part owner Jemma Smith on a transfer of ownership document and submit that form with TRNT to be processed on 9 June, 2020.

Charge 3 – The charge being that he engaged in fraudulent action with the specifics being that as the managing part owner of the racehorse SHOAL RIVER he did knowingly forge the signature of fellow part owner Jemma Smith on a transfer of ownership document and submit that form with TRNT to be processed on 9 June, 2020.

Charge 4 – The charge being that he engaged in fraudulent action with the specifics being that as the managing part owner of the racehorse STEPEHENSTIHLS he did knowingly forge the signature of fellow part owner Jemma Smith on a transfer of ownership document and submit that form with TRNT to be processed on 9 June, 2020.

Charge 5 – The charge being that he engaged in fraudulent action with the specifics being that as the managing part owner of the racehorse MILITARY FORCES you did knowingly forge the signature of fellow part owner Neil Morgan on a transfer of ownership form and submit that form with TRNT to be processed on 9 June, 2020.

AR232 - A person must not:

- (i) give any evidence at an interview, investigation, inquiry, hearing and/or appeal which is false or misleading**

Charge 6 – The specifics being that when questioned during multiple telephone interviews by the Chairman of Stewards on 9 June, 2020 in relation to the signatures of part owners Jemma Smith and Neil Morgan on outgoing transfer documents for the race horses AMERICAN STAR, MILITARY FORCES, SHOAL RIVER and STEPHENSTIHLS you did give false and misleading evidence that both parties had signed the documents when you had knowingly forged their signatures.

In consideration of penalty for each breach the Stewards took into account the following factors

- The serious nature of each offence
- The part owners had agreed to relinquish their shares in the race horses
- His guilty pleas
- His six years of experience in the industry with no previous disciplinary issues
- His remorse for his conduct
- His age and personal circumstances including that he has ongoing employment outside the Racing Industry
- The compounding effect of each charge and the totality of the penalties
- Penalties imposed for similar breaches of the Rules of Racing
- The penalties must serve as a specific and general deterrent

The following penalties were issued for each offence:

Charge 1 a disqualification for a period of 3 months
Charge 2 a disqualification for a period of 3 months
Charge 3 a disqualification for a period of 3 months
Charge 4 a disqualification for a period of 3 months
Charge 5 a disqualification for a period of 3 months
Charge 6 a disqualification for a period of 12 months

In accordance with their discretionary powers under AR283 (4) the Stewards ruled that the penalties imposed for all 6 charges are to be served concurrently and therefore the overall penalty is a disqualification of 12 months.

As the decision on penalty was handed down on Monday 15 June, 2020 this date is when the disqualification takes effect.

Mr Viney was advised of his rights of appeal to the NT Racing Appeals Tribunal.

Australian Rules referred to in this report:

Division 4 – Penalties

AR283 Penalties

(1) Subject to sub rule (3), a person or body authorised by the Rules to penalise any person may, unless the contrary is provided, impose:

- (a) a disqualification;***
- (b) a suspension;***
- (c) a reprimand; or***
- (d) a fine not exceeding \$100,000***

(4) Unless otherwise ordered by the person or body imposing the penalty, a disqualification or suspension imposed under sub rules (1) or (3) is to be served cumulatively to any other suspension or disqualification.