

STEWARDS INQUIRY DECISION

Date of Decision: 17 June 2020

Stewards Panel: S Shinn (Chair), T Latham S Quill

Names: Conor Crook, Makenna Hillier

Track: Launceston Racetrack, Mowbray

Date: 6 June 2020

Rule no: Conor Crook AHRR 245

Makenna Hillier AHRR 238

Charge(s): The particulars of the charge were that on 6 June 2020 Mr. Crook, being the driver of the vehicle transporting horses to the trials conducted at the Launceston Pacing Club, Mowbray, has breached AHRR 245 in that he stopped the vehicle near the racetrack to allow Ms. Makenna Hillier to vacate the vehicle and enter the horse trailer that he was towing. Mr. Crook then proceeded to the racetrack entrance where he was checked off the approved person list by security and had his temperature taken by medical staff without alerting Security to the fact that Ms. Hillier was hiding in the horse trailer. By his action and inaction Mr. Crook has assisted Ms. Hillier to breach AHRR 238, a Stewards Direction that COVID19 protocols put in place by Tasracing must be adhered to.

The particulars of the charge were that on 6 June 2020 near the Launceston Racetrack just prior to arriving at the track for the harness racing trials Ms. Hillier has failed to follow a Direction of the Stewards as required by AHRR 235 in that she alighted from a vehicle driven by Conor Crook and entered the horse trailer which the vehicle was towing. Further that on arrival at the track she has failed to present herself to Security and medical staff as required by Tasracing COVID19 protocols, the adherence to these protocols being at the Direction of the Office of Racing Integrity Stewards.

Inquiry Decision: Conor Crook: \$2500 fine

Makenna Hillier: Three (3) weeks suspension of her licence(s) issued by the Office of Racing Integrity. The commencement of the suspension backdated to June 7, 2020 the date on which Ms. Hillier was initially stood down. The suspension to expire midnight June 28, 2020.

FACTS:

On 6 June 2020, Mr. Crook, being the driver of the vehicle transporting horses to the trials conducted at the Launceston Pacing Club, Mowbray, stopped the vehicle near the racetrack which assisted Ms. Makenna Hillier to vacate the vehicle and enter the horse trailer that he was towing. Mr. Crook then proceeded to the racetrack entrance where he was checked off the approved person list by security and had his temperature taken by medical staff. Mr. Crook did not alert Security to the fact that Ms. Hillier was hiding in the horse trailer and Ms. Hillier failed to make her presence known to security and the medical staff as required by the Direction of Stewards regarding published COVID19 protocols

INQUIRY:

Office of Racing Integrity Stewards inquired into reports from Steward Mr. B Plunkett, Cadet Steward Ms. S Barr and Security Guard Mr. R Franjic regarding events which took place nearby and at Mowbray Racetrack on 6 June, 2020. These reports pertained to Mr. Crook stopping the vehicle that he was driving from which Ms. Makenna Hillier alighted and transferred to the horse trailer being towed. The reports further referred to Mr. Crook entering Mowbray racetrack without alerting security that Ms. Hillier was in the horse trailer. The contents of the reports were unchallenged materially by Mr. Crook and Ms. Hillier at the inquiry.

Stewards also took evidence from Mr. Crook and Ms. Hillier who both gave evidence that their actions were deliberate and designed for Ms. Hillier to avoid her being checked at the racetrack entrance as both knew that Ms. Hillier was not on the security list of persons notified and approved by Tasracing for admittance to the racetrack for the trials which were being conducted on that day.

Having considered the reports and the evidence of Mr. Crook and Ms. Hillier, Mr. Crook was issued a charge under the provisions of AHRR 245 in that Mr. Crook assisted Ms. Hillier to contravene AHRR 238. Mr. Crook pleaded guilty to the charge. Ms. Hillier was issued a charge under the provisions of AHRR 238 in that she failed to comply with the Direction of the Stewards that Tasracing COVID19 protocols must be adhered to. Ms. Hillier pleaded guilty to the charge.

DECISION:

Stewards considered Mr. Crook's submission regarding any possible penalty which included his personal circumstances, his experience and offence record in harness racing, his cooperation and forthright evidence during the inquiry. Stewards also considered the seriousness of the offence with regard to importance of participants adhering to COVID19 protocols which were put in place to minimise the health risk to himself and others as well as any non-adherence to the protocols placing the return of racing to Tasmania at risk.

Stewards also considered Mr. Crook's degree of blameworthiness in the actions of himself and Ms. Hillier given that Mr. Crook is a 24 year old adult and Ms. Hillier being a 17 year old. Further, Stewards considered the matter of deterrence, both personal to Mr. Crook and general.

It was the decision of the Stewards that Mr. Crook be fined \$2500.

Mr. Crook was advised of his right to appeal.

Stewards considered Ms. Hillier's submission on penalty made principally by Ms. Hillier's mother/representative Mrs. Katrina Hillier. This submission included Ms. Hillier's age and inexperience in these matters, her remorse and embarrassment to herself and her family over her actions. Stewards also considered the importance of specific and general deterrence.

It was the decision of the Stewards that Ms. Hillier's licence issued by the Office of Racing Integrity be suspended for three (3) weeks the commencement of which is backdated to June 7, 2020 the day on which Ms. Hillier was stood down.

Ms. Hillier was advised of her right to appeal.