

Racing Appeals & Disciplinary Board

Media Release

24 June 2015

Racing Appeals & Disciplinary Board

Date of Hearing: Thursday, 4 June 2015
Panel: Mr. John Wardle (Chairman) and Mr. Terry O'Connor (Deputy Chairman)
Name of Person Charged: Mr. Anthony Mills
Suburb: Tooradin
Track: Tooradin Trial Track
Breaches of rules LRR 18.5, GAR 86(af), GAR 86(o)

Offences Charged:

- (1) Anthony Mills did, on 3 November 2014, at the Tooradin Trial Track located at 175 Harewood-Mains Road, Tooradin, Victoria, use or cause to be used a live animal (namely, a live rabbit) as a lure for a greyhound (namely, a black greyhound with white markings on its chest being handled by Jon Roberts, a registered trainer), having attached the live rabbit to the lure, or for the exciting of that greyhound, on a Greyhound Trial Track (namely, the Tooradin Trial Track, located at 175 Harewood-Mains Road, Tooradin, Victoria).
- (2) Anthony Mills did, on 3 November 2014, at the Tooradin Trial Track located at 175 Harewood-Mains Road, Tooradin, Victoria, use an animal (namely, a live rabbit) for a purpose connected with greyhound racing in a manner which was improper, namely, he used that animal as a lure for a greyhound (namely, a black greyhound with white markings on its chest being handled by Jon Roberts, a registered trainer), having attached the live rabbit to the lure, or for the exciting of that greyhound, on the Tooradin Trial Track.
- (3) Anthony Mills, a registered trainer and occupier of the Tooradin Trial Track did, on 15 January 2015 at Tooradin, at the Tooradin Trial Track located at 175 Harewood-Mains Road, Tooradin, Victoria a thing which, in the opinion of the Stewards, was improper, or which constituted misconduct, namely, being registered and present he observed acts of live baiting being perpetrated at the Tooradin Trial Track with respect to trials of greyhounds being conducted by registered trainers Lawrence Cunningham and Stuart Mills.

Racing Appeals & Disciplinary Board

Decision on Penalty

REPORT:

On 4 June 2015, the RADB heard the above charges against Mr Anthony Mills. Mr. Anthony Mills did not attend the hearing, in person or by representative. Mr. Mill's non-attendance had been foreshadowed by his legal representatives at the Directions Hearing held 26 May 2015.

Mr. Paul Holdenson QC, instructed by Corrs Chambers Westgarth represented the Stewards Panel. Mr. Glenn Fish (GRV Chief Steward) appeared as a witness.

After considering all the evidence tendered including viewing video footage, the RADB found Mr. Anthony Mills guilty on all charges. The RADB reserved its decision on penalty. The RADB now hands down its decision.

The Stewards sought penalty in respect of Charges 1 and 3 only. The RADB agreed with the arguments submitted by Mr. Holdenson QC in relation to penalty. The RADB considered that the appropriate penalty for Mr. Anthony Mills being found guilty on charges 1 and 3 is disqualification for life. The use of a live animal in the case of charge 1 to excite and bait greyhounds is a barbaric, vile and abhorrent practice. The RADB adopts its remarks in the decision involving Christopher Connolly that such conduct can have no place at all in greyhound racing. There can be no place in the industry for persons – particularly of Mr. Anthony Mill's background and repute - who actively participate in this vile practice. In the case of charge 3 the evidence accepted by the RADB was that Mr. Anthony Mills was guilty of acting improperly by reason of active participation with and assistance given to two other persons engaged in what is described as 'live baiting'. As to this charge and charge 1 the RADB notes and endorses the remarks of Mr. Justice Kaye in the recent Victorian Supreme Court decision of *Canty & Ors V Greyhound Racing Victoria* [2015 VSC 71] at para. 8

"The background to these matters arises out of the revelation, in recent times, of the practice of using live bait while training registered greyhounds in this state and in other states. That practice is understandably forbidden by the rules of the defendant. It is a practice which would be regarded as abhorrent by any right thinking member of our community."

And further at para. 68

"I think it is common knowledge that as a result of the revelation of that practice, the image of that industry has taken a battering and, if I may say so, correctly so."

Racing Appeals & Disciplinary Board

In the view of the RADB, it is critical that a penalty of life disqualification be imposed to denounce such conduct of Mr. Anthony Mills and to deter others from engaging in like or similar conduct in the future. In this case the sentencing discretion is particularly informed by the principle of general deterrence having regard to Mr. Anthony Mill's history within the industry having as Mr. Holdenson advised the RADB an involvement for at least forty years and being a former recipient of the Ken Carr medal for his achievements.

For completeness RADB records that it is aware of the Animal Welfare Penalty Guidelines published by Greyhound Racing Victoria on the 1st July 2014. These contain a guideline of 10 years disqualification for so-called live baiting. This Board is not bound by these guidelines.

In the view of the RADB Mr. Anthony Mill's conduct warranted a more severe penalty.

.....End.....

For More Information:

Pat Griffin
RADB Registrar
(03) 8329 1102
pgriffin@grv.org.au