



HEARING RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 22 December 2015

SUBJECT: **HEARING RESULT – BOOKMAKER: ANTHONY DOUGHTY**

Panel Judge John Bowman (Chair), Mr Josh Bornstein (Deputy),
Prof Raymond Harbridge.

Appearances Dr Cliff Pannam QC, instructed by Geoff Croxford of Croxford Partners
Lawyers, appeared as Counsel for the stewards.

Mr Julian Snow appeared as Counsel for Mr Doughty.

Charge Breach of AR 175(a)

The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise: (a) Any person who, in their opinion, has been guilty of any dishonest, corrupt, fraudulent, improper or dishonourable action or practice in connection with racing.

The charge relates to Mr Doughty conducting his bookmaking business in breach of the conditions of his bookmaker's licence and the provisions of the Bookmaker Rules.

Plea Guilty.

Decision Mr Doughty convicted and suspended for a period of 4 months. The Board orders that the suspension commence 7 days from today's date – being, 29 December 2015.

In accordance with AR 183C the Board orders that Mr Doughty shall not in any way be concerned in the operation of a bookmaker during the period of his suspension.

Mr Doughty is also fined the sum of \$25,000 – due 30 days from today's date.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE J. BOWMAN, Chairman
MR J. BORNSTEIN, Deputy Chairman
PROF R. HARBRIDGE**

LICENSED BOOKMAKER: ANTHONY DOUGHTY

MELBOURNE

TUESDAY, 22 DECEMBER 2015

DR C.L. PANNAM QC (instructed by Croxford Partners) appeared on behalf
of the RVL Stewards

MR J. SNOW appeared on behalf of Mr A. Doughty

CHAIRMAN: Mr Anthony Doughty has pleaded guilty to a breach of Australian Rule of Racing 175(a), in that he admits engaging in a dishonest, fraudulent, improper, dishonourable action or practice in connection with racing.

His offence could be summarised as being the acceptance of 3374 bets that total a turnover of \$911,000 between August 2010 and October 2014, in breach of a condition of his bookmaker's licence and various rules. Mr Doughty failed to properly and accurately record bets and accepted bets from a time outside of race meetings at which he had been allocated to field.

We have heard the eloquent and well-ordered plea of Mr Snow on behalf of Mr Doughty and we've considered the numerous references that were placed before us. In this regard, we accept the following: (1) Mr Doughty has an excellent reputation in the industry. The only offences that are noted during his over 40 years as a bookmaker are comparatively minor and do not make any substantial detraction from his good reputation.

(2) Mr Doughty is a leader amongst bookmakers with a very high turnover. Indeed, the bets in question represent less than 1 per cent of that over the period we are discussing. We accept that he is an energetic bookmaker and a leader of the ring.

(3) Mr Doughty has cooperated fully with the stewards and has admitted his guilt at a very early stage of this lengthy investigation.

(4) This matter has doubtless been stressful to Mr Doughty and the attendant publicity has doubtless been damaging to his reputation and caused him embarrassment and anguish. His standing amongst his peers and his clients has been damaged.

(5) Should he be suspended, his staff will also suffer and Mr Doughty may suffer a loss of clients and financial downturn as a result.

(6) We have been presented with a large number of references regarding not only Mr Doughty's standing as a bookmaker but also in the general community.

(7) Mr Doughty has expressed great contrition. Further, he has repaid the levy which was involved.

(8) As earlier stated, the unauthorised bets represent less than 1 per cent of his overall turnover for the four-year period.

(9) A considerable number of those bets were with an elderly gentlemen and of a very modest proportion. Arguably, Mr Doughty was providing a service to this particular man, albeit a service which should not have been provided.

Mr Snow has asked that a financial penalty only be imposed. Dr Pannam, on behalf of the Stewards, has stated that the view of the Stewards is that a financial penalty alone would be inadequate, although he quite properly does not specify any particular penalty otherwise.

We are of the view that financial penalty alone is not adequate. A very large number of bets are involved; as stated, 3374 over a four-year period. This is not just a handful of bets accepted on one or two occasions as a favour. The amount involved is large, in excess of \$900,000.

General deterrence is an important factor and we agree with Dr Pannam in this regard. In our view, a period of suspension and a fine are both warranted. The conclusion which we have reached is that Mr Doughty's licence as a bookmaker should be suspended for a period of four months. Further, we impose a fine of \$25,000, to be paid 30 days from today's date.

Dr Pannam has asked that a further order be made, and we will make such an order, that under Australian Rule of Racing 183C, the Board orders that Mr Doughty shall not in any way be concerned in the operation of a bookmaker during the period of his suspension.

The Board orders that the suspension commence seven days from today's date, being 29 December 2015.
