

MR DANNY GALLAGHER- INQUIRY CONCLUDED

AUGUST 27 2020

Harness Racing New South Wales (HRNSW) Stewards have concluded an Inquiry regarding an investigation in relation to the betting activities of Mr Danny Gallagher whilst he was a disqualified person.

Mr Gallagher pleaded guilty to a charge pursuant to Australian Harness Racing Rule (AHRR) 259 (1)(j) & (7) as follows:

AHRR 259. (1) *A disqualified person or a person whose name appears in the current list of disqualifications published or adopted by a recognised harness racing authority or a person warned off cannot do any of the following -*

- (a) associate with persons connected with the harness racing industry for purposes relating to that industry;*
- (b) be a member or employee of the Controlling Body;*
- (c) be an office holder, official, member or employee of a club;*
- (d) enter a racecourse or any place under the control of a club or Controlling Body;*
- (e) race, lease, train, drive or nominate a horse;*
- (f) conduct breeding activities;*
- (g) enter any premises used for the purposes of the harness racing industry;*
- (h) participate in any manner in the harness racing industry.*
- (i) permit or authorise any person to conduct any activity associated with the harness racing industry at his/her registered training establishment.*
- (j) place, or have placed on their behalf, or have any other interest in, a bet on any Australian harness racing race.*
- (k) associate with licensed persons connected with the thoroughbred or greyhound racing industry including but not limited to entering any premises owned or occupied by such licensed persons....*

(7) *A disqualified person who fails to comply with this rule is guilty of an offence.*

In relation to the charge issued pursuant to AHRR 259(1)(j) & (7), HRNSW Stewards also considered AHRR 259A as follows:

AHRR 259A *In addition to any penalty imposed pursuant to Rule 259 (7) the original period of disqualification shall unless otherwise ordered by the Stewards automatically recommence in full.*

Consequently, HRNSW Stewards ordered that the original period of three (3) months disqualification imposed by the NSW Racing Appeals Tribunal recommence in full from 30 July 2020, the date of the last bet identified by Stewards as having been placed by Mr Gallagher prior to him being informed of the Steward's investigation.

For clarity, the period of three (3) months disqualification will recommence from 30 July 2020 and conclude on 29 October 2020.

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Following the conclusion of that disqualification, HRNSW Stewards imposed a further three (3) months and three (3) weeks disqualification to commence from 30 October 2020 and expire 20 February 2021 in relation to the current offence.

In considering penalty Stewards were mindful of the following;

- Mr Gallagher's involvement in the harness racing industry, his licence history and offence record;
- The seriousness of the offence;
- Mr Gallagher's personal subjective facts;
- Mr Gallagher's guilty plea and remorse.

Mr Gallagher has appealed this decision.

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