

NORTHERN TERRITORY RACING COMMISSION

Reasons for Decision

Complainants:	Mr R; and Mr S
Licensee:	William Hill
Proceedings:	Pursuant to Section 85(4) of the <i>Racing And Betting Act</i> – Referral of Dispute to Racing Commission for Determination
Heard Before:	Mr John Boneham (Presiding Member)
(on papers)	Mr Jim McNally Mr David Loy
Date of Decision:	23 August 2016

Background

- 1) On 27 May 2016 and 2 June 2016 Mr S and Mr R lodged gambling disputes respectively against William Hill (Bookmaker).
- 2) The disputes arise out of the same matter and centre around place wagers made on 27 May 2016 on Winnellie greyhounds Race 1 number 4 "Good Bye Joan".
- 3) William Hill were advised of the disputes and provided in effect the same response for both matters.
- 4) Accordingly in view of the fact that both disputes relate to the same dog, the same race and the same form of betting, the Commission has decided that both matters will be dealt with in this joint determination.
- 5) By way of background to this dispute, William Hill do not set their own odds on the Winnellie Park greyhounds, rather they rely on Tattsbet (UBET) totalisator odds, when making payouts on successful wagers.
- 6) As the pools on Winnellie Park greyhound races are relatively small this then lends itself to the possibility of tote manipulation, which in this case William Hill are alleging occurred.

Facts of the Matter

- 7) At the heart of the matter is a "Place" wager of \$825.00 and a "Place" wager of \$265.00 on the same greyhound "Good Bye Joan". The \$825.00 wager made by Mr R and the \$265.00 wager by Mr S on the dog in question which ran in Race 1 on 27 May 2016.
- 8) "Good Bye Joan" subsequently ran second paying \$5.90 for the "Place", whilst only being offered at \$2.10 (Tote) for a "Win" and \$1.70 (Fixed Odds) for a "Win".

9) Upon investigation William Hill advised the Commission that the UBET place pool on Race 1 held \$947.00 as opposed to "Place" pools on other races that night as follows:

- Race 2 \$230
- Race 3 \$377
- Race 4 \$407
- Race 5 \$359
- Race 6 \$290
- Race 7 \$473
- Race 8 \$387

10) It is therefore quite obvious that the "Place" pool wagering on Race 1 was "way out of kilter" with other races that evening.

11) William Hill themselves held Mr R's wager of \$825.00, Mr S' wager of \$265.00 and wagers for two other parties (who have to date not lodged disputes). These other "Place" wagers totalling \$850.00. For reasons of privacy the Commission will not be publishing the names of the other punters.

12) As a result of the unusually inflated "Place" odds, William Hill then faced a substantial payout to the punters involved.

13) William Hill then moved to void the wagers invoking Rule 19 of their Terms and Conditions. **Rule 19 reads as follows:**

William Hill reserves the right to void any or all wagers where:

- a) William Hill reasonably suspects a wager has been made by any individual or group of people (including but not limited to relatives or organisations, bookmakers and their employees) acting together either in an attempt to defraud William Hill, or*
- b) There is evidence that leads to a reasonable suspicion that tote based dividends or official starting prices have been manipulated by known or unknown persons.*

14) William Hill are alleging that the tote "Place" pool on Race 1 was manipulated, by presumably, large "Place" bets being made on other runners in the race thereby inflating the "Place" odds of runner number 4 "Good Bye Joan" and accordingly they acted to void the wagers based on reasonable suspicion that the totalisator odds had been manipulated by Mr R and Mr S, in league with others.

15) The Commission as part of its investigation has considered requesting UBET for a copy of its records of betting patterns on the race, however as the UBET the

- 15) The Commission as part of its investigation has considered requesting UBET for a copy of its records of betting patterns on the race, however as the UBET the totalisator is not regulated by the Commission this would present issues around privacy and security of wagering provisions.
- 16) In any event even if this information was to hand, by virtue of the fact that punters do not have to identify themselves when placing wagers on the totalisator, there is no way to prove of Mr R's or Mr S involvement in the alleged tote manipulation would be forth coming.

Consideration of the Issues

- 17) In making this determination the Commission has taken into account detailed submissions from William Hill, including perusing Mr R's and Mr S' betting records, which admittedly have indicated the wagers placed on the night were well above their normal betting patterns.
- 18) However, it remains the right of punters to make whatever wagers they please and it is then up to the bookmaker to either accept or reject them. In this instance the bookmaker accepted the wagers, only to then subsequently void them under Rule 19 of their Terms and Conditions.
- 19) The Commission also notes that by utilising UBET totalisator odds, William Hill leaves itself open to cases of alleged totalisator manipulation, particularly given the normally small size of the various pools on events held at meetings such as Winnellie Park greyhounds.
- 20) The Commission notes, after considering legal opinion, that the term "reasonably suspects" as stated in Rule 19, still relies on the provision of evidence that a particular individual or group has acted in a way so as to defraud William Hill. William Hill have not provided sufficient evidence to demonstrate fraudulent activity.

Decision

- 21) Whilst the Commission notes that the betting patterns on Race 1 Winnellie Park would seem to be unusual, there is no documentary proof of a link of these unusual patterns to either Mr R or Mr S, or indeed any other particular individual or group. This is by virtue of the fact that wagers made on the totalisator are not required to identify the participating punter.
- 22) Accordingly the Commission dismisses William Hill's claim that it was entitled to void the wagers under Rule 19 of its Terms and Conditions, as the required documentary proof has not been provided.

23) The Commission further rules that Mr R's and Mr S' wagers are lawful and William Hill is to honour these wagers immediately, at the declared totalisator odds.

24) The Commission makes no further comment regarding the commercial arrangement William Hill has in place by offering totalisator odds to its customers, except to say that if not reviewed or modified in some way it may well give rise to similar disputes in the future.



John Boneham
Presiding Member
NT Racing Commission

23 August 2016