DECISION

RACING VICTORIA STEWARDS

and

RUSSELL GREEN

Date of Hearing 3 October 2017

Panel Judge Bowman (Chair), Geoff Ellis, Jeremy Rosenthal.

Appearances Elizabeth Brimer of counsel, instructed by James Ogilvy, appeared on behalf of the stewards.

Joe Ferwerda of counsel, instructed by Ryan Carlisle Thomas, appeared on behalf of Mr Green.

Charge 1 AR 178E(1)

‘Notwithstanding the provisions of AR 178C(2), no person without the permission of the Stewards may administer or cause to be administered any medication to a horse on race day prior to such horse running in a race.’

Charge 2 AR 175(I) (alternative to Charge 1)

‘The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise: (I) Any person who attempts to commit, or conspires with any other person to commit, or any person who connives at or is a party to another committing any breach of the Rules.’

Charge 3 ‘The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise: (g) Any person who gives at any interview, investigation, inquiry, hearing and/or appeal any evidence which is false or misleading in any particular.’

Summary Mr Green was at all relevant times a trainer licensed by Racing Victoria and the trainer of Overton Onyx.

In relation to charges 1 and 2, the stewards alleged that Mr Green administered, or attempted to administer, respectively, a solution which contained (at least) an unknown quantity of Green Amino drench, Blud powder and water via syringe to Overton Onyx on 6 April 2017 when it was engaged to run in Race 6 at Wangaratta that day.

Plea Charge 1 - not guilty.

Charge 2 - not guilty.

Charge 3 - guilty.
Decision

Charge 1

The Board does not find the charge proved. The charge is therefore dismissed.

Charge 2

The Board finds the charge proved. Mr Green convicted and his licence suspended for a period of 3 months.

Charge 3

Mr Green convicted and his licence suspended for a period of 1 month, to be served concurrently with the suspension imposed for charge 2.

The total period of suspension is 3 months. In accordance with the provisions of AR 196(6)(a), the commencement of the period of suspension is deferred for 7 clear days from today’s date.

Georgie Gavin
Registrar - Racing Appeals and Disciplinary Board