



HEARING RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 20 April 2012

SUBJECT: **HEARING RESULT – TRAINER: TONY VASIL**

Panel Judge Russell Lewis (Chair), Mr Stephen Curtain,
Mr Raymond Harbridge

Appearances Mr Dayle Brown appeared on behalf of the RVL Stewards.
Mr Patrick Wheelahan appeared on behalf of Mr Vasil.

Charge 1 Breach of AR 177A – Prohibited Substances

The charge relating to the horse *Cloanthy* which was brought to Moe Racecourse on 23 January 2012 for the purpose of obtaining a permit to start in a race and a prohibited substance, being Hydroxyethylpromizine, was detected in a urine sample taken from it.

Plea Guilty

Decision Mr Vasil convicted and fined the amount of \$2,000. Fine to be paid on or before 31 May 2012.

Tara Watson
Acting Registrar - Racing Appeals and Disciplinary Board

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR S. CURTAIN
MR R. HARBRIDGE**

EXTRACT OF PROCEEDINGS

DECISION

TRAINER: TONY VASIL

MELBOURNE

FRIDAY, 20 APRIL 2012

MR D. BROWN appeared on behalf of the RVL Stewards

MR P. WHEELAHAN appeared on behalf of Mr A. Vasil

CHAIRMAN: In this case, the Board is of the view, as has been stated, that the ultimate responsibility, with or without veterinary advice, lies with the trainer. The trainer acted on the basis that a 72-hour withdrawal period was appropriate. However, the Board is of the view that a prudent trainer would have allowed for possible variations in administration or variables in administration and in the circumstances, the last administration should have been not as close to the time of the trial as was the case.

Nevertheless, the Board takes into account Mr Vasil's plea of guilty which has saved considerable cost and expense and takes into account the fact that he did act on veterinary advice which is a mitigating factor, but the Board cannot ignore the fact that Mr Vasil has a prior conviction for administration of a prohibited substance in 2005, which was the bicarb case.

In all the circumstances, the Board thinks that the appropriate financial penalty in this case is the sum of \$2000, which is to be paid on or before 31 May 2012.
