

HEARING RESULT

Distribution:	Chief Executive Group Integrity Services, Group Racing Group Racing Development Credit Controller ARB, ATA, VJA, TVN Office of Racing T Moxon – National Drug Register Racing Press
FROM:	Registrar – Racing Appeals and Disciplinary Board
DATE:	7 October 2015
SUBJECT:	HEARING RESULT – TRAINER: BRYCE STANAWAY
<u>Heard By</u>	Judge John Bowman.
<u>Appearances</u>	Mr Stanaway did not attend the hearing. Mr Mark Stevens appeared on behalf of the stewards.
<u>Charge</u>	Breach of AR 177B(5)
	<i>(5) If any substance or preparation that could give rise to an offence under this rule if administered to a horse at any time is found at any time at any premises used in relation to the training or racing of horses then any owner, trainer or person who owns, trains or races or is in charge of horses at those premises is deemed to have the substance or preparation in their possession and such person shall be guilty of an offence and liable to penalty.</i>
	The particulars of the charge being that a 10ml bottle of Jurox Reepair (an anabolic androgenic steroid) was located at Mr Stanaway's training premises during a stable inspection on 21 June 2015.
<u>Plea</u>	Guilty.
<u>Decision</u>	Mr Stanaway convicted and fined \$500 – due on or before 4 November 2015.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

HIS HONOUR JUDGE J. BOWMAN, Chairman

EXTRACT OF PROCEEDINGS

DECISION

TRAINER: BRYCE STANAWAY

MELBOURNE

WEDNESDAY, 7 OCTOBER 2015

MR M. STEVENS appeared on behalf of the RVL Stewards

CHAIRMAN: Mr Stanaway has pleaded guilty to a charge pursuant to Australian Rule 177B(5) and that, in essence, is that he had a prohibited substance at his training establishment on 21 June 2015. The substance was a 10-millilitre bottle of Jurox Reepair, an anabolic androgenic steroid. Mr Stanaway indicated that he was guilty of the offence at an early interview and has since confirmed that plea and the fact that he would not be attending the hearing in writing.

Whilst this was a breach of a rule potentially involving serious offences, there are considerable extenuating circumstances. I accept that Mr Stanaway used the Reepair on an old horse, Bold Bard, which had not raced for 10 years and which he was looking after. The horse had got down, was off its feed, and the vet suggested that he be given one or two shots of Reepair. The date on the prescription or receipt was 5 February 2014. Mr Stanaway administered one shot which had marked beneficial effects. He forgot about a second shot and the Reepair, in a clearly marked bottle, simply remained in his stable fridge thereafter.

Mr Stevens on behalf of the Stewards very properly put before me details of the only other case that the Stewards could find in relation to a similar offence. In that instance, the trainer in question was convicted without penalty. However, there was a substantial factual difference. The trainer in question, Ms Wilson, had purchased the substance for another horse in her stable some years before the rule came into operation and had simply not disposed of it when the rule was introduced.

In the present case, Mr Stanaway purchased the substance after the introduction of the rule and kept it on his premises. As stated, a breach of the rule can be a very serious matter.

I find that the case has been made out. Mr Stanaway is convicted. In my view, a monetary penalty as requested by Mr Stevens on behalf of the Stewards is appropriate. Mr Stanaway should have been familiar with the rule after its introduction. The figure of \$1000 was suggested on behalf of the Stewards. However, there are very considerable extenuating circumstances and the figure of \$500 seems to me to be the appropriate monetary penalty. Mr Stanaway is convicted and fined \$500.
