

## HEARING RESULT

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**Distribution:** Chief Executive  
Group Integrity Services, Group Racing  
Group Racing Development  
Credit Controller  
ATA  
TVN  
Office of Racing  
T Moxon – National Drug Register  
Racing Press

**FROM:** Registrar – Racing Appeals and Disciplinary Board

**DATE:** 7 October 2013

**SUBJECT:** HEARING RESULT – STABLE EMPLOYEE: LES THEODORE

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**Panel** Judge Russell Lewis (Chair), Mr Geoff Ellis, Mr Jeremy Rosenthal.

**Appearances** Mr Jim Monaghan appeared on behalf of Mr Theodore.  
Mr James Ogilvy appeared on behalf of the Stewards.

**Charge** Breach of AR 175(gg)

*The Committee of any Club or the Stewards may penalise; any person who makes any false or misleading statement or declaration in respect of any matter in connection with the administration or control of racing.*

The particulars of the charge being that Mr Theodore made false or misleading statements to Steward, Mr Simon Quintner, regarding the location of the horse *Road Trippin'* trained by Mr Stephen Theodore.

**Plea** Guilty.

**Decision** Mr Theodore convicted and fined \$5,000 – fine due on or before midnight 31 October 2013.

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# **TRANSCRIPT OF PROCEEDINGS**

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## **RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman  
MR G. ELLIS  
MR J. ROSENTHAL**

### **EXTRACT OF PROCEEDINGS**

#### **DECISION**

**STABLE EMPLOYEE: LES THEODORE**

**MELBOURNE**

**MONDAY, 7 OCTOBER 2013**

MR J. OGILVY appeared on behalf of the RVL Stewards

MR J. MONAGHAN appeared on behalf of Mr L. Theodore

CHAIRMAN: In this case, the summary of facts and submissions provided by the Stewards sets out comprehensively the circumstances surrounding the commission of these offences. In relation to the actual penalty, the Board agrees that the principles of general and specific deterrence apply in this case. The Board also considers that the behaviour of Mr Theodore has damaged the image of racing and also results in the Stewards being unable to implement, in particular, pre-race and actual race-day inspections.

The Board gives a limited discount for a late plea of guilty, but takes into account the fact that Mr Theodore has no relevant prior convictions. It also takes into account the fact that Mr Theodore does not receive a wage and is in receipt of a war veteran's pension.

Having regard to those matters, the Board is of the opinion that a financial penalty of \$5000 is the appropriate penalty, to be paid on or before 31 October 2013.

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