



**Racing  
Victoria**

**RACING APPEALS  
AND  
DISCIPLINARY BOARD**

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**DECISION**

**RACING VICTORIA STEWARDS  
*and*  
MICHAEL QUADARA**

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**Date of Hearing:** 21 December 2016

**Panel:** Judge Bowman (Chair), Mr Brian Forrest (Deputy), Dr June Smith.

**Appearances:** Mr Daniel Bolkunowicz appeared as counsel for the stewards.  
Mr Quadara appeared on his own behalf.

**Charge:** AR 175(q)

*The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise: Any person who in their opinion is guilty of any misconduct, improper conduct or unseemly behaviour.*

The particulars of the charge are that Mr Quadara used insulting language towards another licensed trainer at the Seymour racecourse on 21 November 2016.

**Plea:** Not guilty.

**Decision:** The Board finds the charge proved.

Mr Quadara convicted and fined \$500 - to be paid on or before 31 January 2017.

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**TRANSCRIPT OF  
PROCEEDINGS**

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**RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE J. BOWMAN, Chairman  
MR B. FORREST, Deputy Chairman  
DR J. SMITH**

**RACING VICTORIA STEWARDS**

**and**

**MICHAEL QUADARA**

**RACING VICTORIA CENTRE, FLEMINGTON**

**WEDNESDAY, 21 DECEMBER 2016**

MR D. BOLKUNOWICZ appeared on behalf of the RVL Stewards

MR M. QUADARA appeared on his own behalf

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CHAIRMAN: Mr Michael Quadara, you have pleaded not guilty to a charge of breaching Rule AR 175(q), in that being a licensed trainer, you used insulting language towards licensed trainer, Ms Penny Reeve, at Seymour racecourse on 21 November 2016. Mrs Reeve is also the full-time CEO of the Seymour Racing Club. The Stewards allege that this behaviour and language constituted misconduct.

Your defence is essentially that you used the language in question, "That lying effing moll," not about Mrs Reeve but about a trainer, Sheila Laxon, who had left Seymour owing you money. We simply do not accept this evidence. Apart from the evidence of Mrs Reeve, we note and accept the evidence of the stablehand, Mr Ashleigh King, who was present at the time of the alleged evidence, his evidence being to the effect that you were clearly addressing the remark to Mrs Reeve and either waved or pointed in her direction.

You were about to ride trackwork for Mr Alan Diggins, also a licensed trainer at Seymour. Your remark was made at the start of a conversation with him. Mr Diggins also referred to you waving your hand, although he put the remark in the context of a complaint about Ms Laxon and others. What seems apparent is that the incident occurred at the very start of the conversation between you and Mr Diggins, and whilst Mr King was still in close proximity. Mr Diggins described your remarks and conversation as being errant, which commenced immediately upon your arrival. The whole thing took place against the immediate background of a separate stewards' inquiry which involved your partner, Ms Anderson, another trainer, Mr Don Dwyer, as well

as Mrs Reeve. It is clear that you regarded the outcome of that inquiry as unsatisfactory and agreed that you considered that Mrs Reeve had lied in relation to it.

Thus, we have a situation where you agreed that you used the words in question; you have agreed that you considered Mrs Reeve to be a liar; it is almost common ground that you waved or pointed in her direction on the morning in question, that you were speaking reasonably loudly and there was no other person within earshot. We are satisfied the Stewards' case has been made out and we find the charge proven.

We are of the view that the appropriate penalty is a fine. We are also of the view that this particular offence does not come close to the \$3000 penalty that was imposed in a previous case. We think the appropriate quantum of the fine is \$500 to be paid on or before 31 January 2017.

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