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## **APPEAL DECISION**

### **CLIVE BALFOUR and RACING VICTORIA STEWARDS**

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**Date of Hearing:** 17 October 2017

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

**Appearances:** Daniel Bolkunowicz appeared on behalf of the stewards.  
Ross Inglis of Ryan Carlisle Thomas appeared on behalf of Mr Balfour.

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On Thursday 5 October 2017, the stewards concluded an inquiry into the attempted race day treatment of 3 horses trained by Mr Balfour, *Rexmont, Alsimon and Tarpeia*, prior to their engagements at Moe on 25 September 2017.

Mr Balfour pleaded guilty to 3 charges under AR 178AB in relation to each horse and was disqualified for a period of 6 months on each charge, to be served concurrently.

AR 178AB states that:

*(1) A person must not, without the permission of the Stewards, inject a horse, cause a horse to be injected or attempt to inject a horse, which is engaged to run in any race:  
(a) at any time on the day of the scheduled race, prior to the start of such event; and  
(b) at any time during the One Clear Day prior to 12.01am on the day of the scheduled race.*

A Notice of Appeal against the **severity of the penalty** was lodged on Thursday, 5 October 2017.

A stay of proceedings was refused.

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**DECISION:** Appeal allowed.

Penalty varied to a suspension for a period of 6 months, commencing on 5 October 2017.