



DECISION

RACING VICTORIA STEWARDS and STEFAN JOKIC

Date of Hearing 24 January 2018

Panel Judge Bowman (Chair), Geoff Ellis, June Smith.

Appearances Jack Rush QC of counsel, instructed by Simonette Foletti, appeared on behalf of the stewards.

Mr Jokic appeared on his own behalf.

Charge 1 AR 175(h)(i)

The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise: (h) Any person who administers, or causes to be administered, to a horse any prohibited substance: (i) for the purpose of affecting the performance or behaviour of a horse in a race or of preventing its starting in a race.

Charge 2 AR 175(h)(ii) (alternative to Charge 1)

The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise: (h) Any person who administers, or causes to be administered, to a horse any prohibited substance: (ii) which is detected in any sample taken from such horse prior to or following the running of any race.

Charge 3 AR 178 (alternative to Charges 1 and 2)

Subject to AR 778G, when any horse that has been brought to a racecourse for the purpose of engaging in a race and a prohibited substance is detected in any sample taken from it prior to or following its running in any race, the trainer and any other person who was in charge of such horse at any relevant time may be penalised.

Summary Charges 1 - 3 relate to a prohibited substance, being cobalt at a concentration in excess of 200 micrograms per litre in urine, which was detected in a pre-race urine sample taken from the horse *Jack Attack* which ran in Race 2 at Hamilton on 21 September 2015.

Charge 4

AR 178F(1)

(1) A trainer must record treatment and medication administered to each horse in his or her care by midnight on the day on which the administration was given, and each record must include the following information:

- (a) the name of the horse;*
- (b) the date and time of administration of the treatment or medication;*
- (c) the name of the treatment or medication administered (brand name or active constituent);*
- (d) the route of administration including by injection, stomach tube, paste, topical application or inhalation);*
- (e) the amount of medication given (if applicable);*
- (f) the duration of a treatment (if applicable);*
- (g) the name and signature of person or persons administering and/or authorizing the administration of the treatment or medication.*

Summary

The particulars are that Mr Jokic failed to make, keep and retain an accurate record of treatment administered to the horse *Jack Attack* and any other horse trained by him between 1 January 2015 and 21 September 2015.

Plea

Charge 1 - not guilty.

Charge 2 (alternative to Charge 1), Charge 3 (alternative to Charges 1 and 2) and Charge 4 - guilty.

Subsequent to the plea to Charge 2, Charge 1 was withdrawn by the stewards and Charge 3 falls away.

Decision

Charge 2 - Mr Jokic convicted and suspended from all stable employee duties for a period of 9 months, commencing immediately.

Charge 4 - Mr Jokic convicted and fined \$1,000. Payment terms 28 days.

In accordance with AR 177, *Jack Attack* is disqualified as 5th place-getter in Race 2 at Hamilton on 21 September 2015 and the places amended accordingly.