

HEARING RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 12 July 2011

SUBJECT: HEARING RESULT – TRAINER: PAUL BANKS

Panel Judge Russell Lewis (Chair), Mr Geoff Ellis, Ms Barbara Phelan.

Appearances Mr Banks appeared on his own behalf.
Racing Victoria's James Ogilvy appeared on behalf of the Stewards.

Charge 1 Breach of AR 178
The particulars of the charge being that a prohibited substance, Testosterone in geldings at a mass concentration in excess of 20 micrograms per litre in urine, was detected in a urine sample taken from the horse *Armani Black* subsequent to its running in Race 5 the *PJA Accountants 0-62 Handicap* at Avoca on Monday, 25 April 2011.

Charge 2 Breach of AR 178F(1)
The particulars of the charge being that on 11 May 2011 during a stable inspection at his premises it was established that Mr Banks had failed to keep and retain for a period of 12 months a record of any treatment administered to *Armani Black*.

Plea Charge 1 - Guilty.
Charge 2 – Guilty.

Decision **Charge 1** - Mr Banks convicted and fined the amount of \$1,000.

Pursuant to AR 177 *Armani Black* disqualified as eighth placegetter (of eight runners) in Race 5 the *PJA Accountants 0-62 Handicap* at Avoca on Monday, 25 April 2011.

Charge 2 – Mr Banks convicted and fined the amount of \$100.

A total of \$1,100 due on or before 31 July 2011.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR G. ELLIS
MS B. PHELAN**

EXTRACT OF PROCEEDINGS

DECISION

TRAINER: PAUL BANKS

MELBOURNE

TUESDAY, 12 JULY 2011

MR J. OGILVY appeared on behalf of the RVL Stewards

MR P. BANKS appeared on his own behalf

CHAIRMAN: In this case, the Board is impressed with Mr Banks' frankness and we also take into account the fact that he has pleaded guilty to both charges. We take into account the fact that there are no prior convictions.

The circumstances of the horse being given Ropel really comes down to the vet. Mr Banks simply accepted veterinary advice. But on the other hand, as Mr Banks himself has conceded, the buck stops with the trainer. But obviously there is a significant mitigating factor in this case which takes it outside the normal run of administration of testosterone cases.

Accordingly, the Board feels that only a moderate to modest fine is appropriate. In relation to Charge 1, the Board fines Mr Banks the sum of \$1000. In relation to Charge 2, again there are mitigating factors which have been established. In relation to Charge 2, the Board fines Mr Banks the sum of \$100, a total of \$1100, to be paid on or before 31 July 2011.

END OF EXTRACT