

## APPEAL RESULT

---

**DISTRIBUTION:** Chief Executive  
Group Integrity Services  
Group Racing and Group Racing Development  
VJA  
TVN  
Office of Racing  
C Polglase – Racing NSW  
Racing Press

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

**DATE:** 16 May 2011

**SUBJECT:** **APPEAL HEARING RESULT – TRAINER: CHRIS VILCINS**

---

**Panel** Judge Russell Lewis (Chair), Mr Stephen Curtain, Mr Bill Knights.

**Appearances** Mr Ross Inglis appeared on behalf of Mr Vilcins.  
Mr James Ogilvy appeared on behalf of the Stewards.

---

At a Stewards inquiry on Tuesday 19 April 2011, trainer Chris Vilcins was found guilty of a charge laid under the provisions of AR 53A(2) which state that:

*“If a horse suffers an attack of bleeding at any time the fact of such bleeding shall be reported by the Trainer without delay to the Stewards.”*

The particulars of the charge being that Mr Vilcins failed to report to the Stewards without delay that the horse *Twelve Peers* had suffered a bleeding attack at Moe racecourse on Thursday, 7 April 2011.

Mr Vilcins had his licence to train suspended for a period of two months – to commence at midnight on Saturday, 30 April 2011 and to expire at midnight on Thursday, 30 June 2011.

A Notice of Appeal against **the severity of the penalty** was lodged on Friday, 29 April 2011.

A stay of proceedings was granted effective until midnight Sunday, 15 May 2011.

---

**DECISION:** **Appeal allowed.**

**Penalty varied to a period of suspension for one month, commencing at midnight on Tuesday, 17 May 2011 and expiring at midnight on Thursday, 16 June 2011.**

**Mr Vilcins fined the amount of \$500 – to be paid on or before midnight on Wednesday, 31 August 2011.**

# **TRANSCRIPT OF PROCEEDINGS**

---

## **RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman  
MR S. CURTAIN  
MR W. KNIGHTS**

### **EXTRACT OF PROCEEDINGS**

#### **DECISION**

**TRAINER: CHRIS VILCINS**

**MELBOURNE**

**MONDAY, 16 MAY 2011**

MR J. OGILVY appeared on behalf of the RVL Stewards

MR R. INGLIS appeared on behalf of the Appellant

---

CHAIRMAN: In this case, the Board is of the opinion that insufficient regard was given by the Stewards to the Appellant's previous good record. The Board is not satisfied that the Appellant, by impliedly pleading guilty, as acknowledged by the Stewards, should receive much credit for that plea, as such an implied plea was simply a recognition of the inevitable, the Stewards having accepted the evidence of witnesses that the horse did bleed from both nostrils.

The Board regards the explanation by the Appellant as to how or why the horse exhibited blood as pure invention and, accordingly, does not give much weight to the references provided. On the other hand, this is a serious offence. There is always the risk that a known bleeder could have a massive haemorrhage during a race or even a trial and a catastrophe could result. The principle of general deterrence is therefore a significant sentencing consideration. The appeal is allowed, in that the penalty is varied to a suspension of one month, to expire midnight, 15 June 2011, and in addition, the Appellant is fined the sum of \$500, to be paid on or before 31 August 2011.

#### DISCUSSION

There will be a stay of penalty under midnight tomorrow night and that will mean that the suspension expires at midnight 16 June 2011. I should add that a conviction of course is recorded.

**END OF EXTRACT**