

HEARING RESULT

Distribution: Chief Executive
Group Integrity Services, Group Racing
Group Racing Development
Credit Controller
ARB, ATA, VJA, TVN
Office of Racing
T Moxon – National Drug Register
Racing Press

FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 12 August 2014

SUBJECT: **HEARING RESULT – TRAINER: PAUL PREUSKER**

Panel Judge Russell Lewis (Chair), Mr Brian Forrest (Deputy), Mr Chris Fox.

Appearances Mr Patrick Wheelahan appeared as Counsel for Mr Preusker.
Mr James Ogilvy appeared on behalf of the Stewards.

Charge Breach of AR 175(o)(iii)

The Committee of any Club or the Stewards may penalise: (o) Any person in charge of a horse who in their opinion fails at any time: (iii) to provide for veterinary treatment where such treatment is necessary for the horse.

The particulars of the charge being that Mr Preusker failed to provide veterinary treatment for a two-year old filly in his care between approximately 26 November 2013 and 5 December 2013.

Plea Guilty.

Decision Mr Pruesker convicted and fined \$5,000 – due on or before 30 November 2014.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR B. FORREST, Deputy Chairman
MR C. FOX**

EXTRACT OF PROCEEDINGS

DECISION

TRAINER: PAUL PREUSKER

MELBOURNE

TUESDAY, 12 AUGUST 2014

MR J. OGILVY appeared on behalf of the RVL Stewards

MR P. WHEELAHAN appeared on behalf of the Appellant

CHAIRMAN: In this case, Mr Preusker has pleaded guilty to a breach of Australian Rule 175(o)(iii). In particular, he admits that he failed to provide for veterinary treatment for the filly where such treatment was necessary for the filly between 3 December and 5 December 2013.

The Board is satisfied that for eight to 10 days prior to the visit by Dr Brian Clarke on 5 December, the horse had exhibited signs of lameness, accompanied by swelling. In the Board's opinion, Mr Preusker should have regarded it as necessary to call a veterinarian once it was obvious that the condition was persisting. Just when that time had been reached is a matter of conjecture, save to say that it would have been before 3 December and after 26 November.

In the circumstances of this case, having made that finding, the Board is of the opinion that a financial penalty is appropriate. The Board is of the view that in this case, the financial penalty should be a fine of \$5000, to be paid on or before 30 November 2014.
