



APPEAL DECISION

FRANK STOCKDALE and RACING VICTORIA STEWARDS

Date of Hearing: 28 March 2017

Heard By: Judge Bowman (Chair).

Appearances: Mr Brett Wright appeared on behalf of the stewards.
Mr Andrew Nicholl appeared on behalf of Mr Stockdale.

At an adjourned stewards' inquiry at Cranbourne on 20 March 2017, licensed trainer Frank Stockdale pleaded guilty to one charge under the provisions of AR 175(q) and one charge under the provisions of AR 175(p).

Mr Stockdale was fined \$2,000 in relation to the breach of AR 175(q) and \$500 in relation to the breach of AR 175(p).

A Notice of Appeal against **the severity of the penalty** in relation to the charge under AR 175(q) was lodged on Wednesday, 22 March 2017.

AR 175(q) provides that:

The Principal Racing Authority or the Stewards exercising powers delegated to them may penalise - any person who in their opinion is guilty of any misconduct, improper conduct or unseemly behaviour.

The particulars of the charge are that Mr Stockdale used abusive language towards two security staff at the Stony Creek Racing Club meeting on 12 March 2017, constituting misconduct and/or improper conduct.

DECISION: Appeal allowed.

Penalty varied so that \$500 of the \$2,000 fine is suspended for a period of 2 years provided that Mr Stockdale does not commit a further breach of AR 175(q) during that period.

The balance of \$1,500 for the breach of AR 175(q) and the fine of \$500 imposed for the breach of AR 175(p)¹ - a total of \$2,000 - is due and payable 6 months from today's date.

**Georgie Gavin
Registrar - Racing Appeals & Disciplinary Board**

¹Noting that the breach of AR 175(p) was not subject to an appeal.