



## APPEAL RESULT

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**DISTRIBUTION:** Chief Executive  
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Office of Racing  
T Moxon – National Drug Register  
Racing Press

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

**DATE:** 6 July 2015

**SUBJECT:** **APPEAL HEARING RESULT – STABLE EMPLOYEE:  
REBECCA GODDARD**

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**Heard By** Judge Russell Lewis (Chair).

**Appearances** Mr Jamie Evans appeared on behalf of Ms Goddard.  
Mr Brett Wright appeared on behalf of the stewards.

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At a stewards' inquiry on Monday 29 June 2015 at Cranbourne racecourse, stable employee Rebecca Goddard pleaded guilty to a charge under the provisions of AR 81A(1)(a) which states that:

*Any rider commits an offence and may be penalised if: (a) a sample taken from him is found upon analysis to contain a substance banned under AR 81B.*

The particulars of the charge being that Ms Goddard provided a urine sample subsequent to riding trackwork at Mornington on 2 June 2015 which was found upon analysis to contain the banned substances Nordiazepam, Oxazepam and Temazepam (Valium).

Ms Goddard had her stable registration (relating to riding trackwork only) suspended for a period of 3 weeks, commencing at midnight on Tuesday 23 June 2015, at which time she was stood down, and expiring at midnight on Monday 13 July 2015.

A Notice of Appeal against **the severity of the penalty** was lodged on Wednesday, 1 July 2015.

A stay of proceedings to ride trackwork was granted and was effective until the hearing and determination of the appeal.

In accordance with AR 81A(4) Ms Goddard provided a sample that was free of any substance banned under AR 81B.

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**DECISION:** **Appeal dismissed - penalty to remain standing.**

**Taking into account the stay of proceedings the period of suspension will now expire at midnight on Saturday, 18 July 2015.**

**TRANSCRIPT OF  
PROCEEDINGS**

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**RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman**

**EXTRACT OF PROCEEDINGS**

**DECISION**

**STABLE EMPLOYEE: REBECCA GODDARD**

**MELBOURNE**

**MONDAY, 6 JULY 2015**

MR B. WRIGHT appeared on behalf of the RVL Stewards

MR J. EVANS appeared on behalf of the Appellant

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CHAIRMAN: This is an appeal by Ms Rebecca Goddard against a decision of the Stewards to suspend her from riding trackwork until midnight, 13 July 2015. Pending this appeal, Ms Goddard was granted a stay of five days to enable her to ride trackwork.

First, it should be said that there is no excuse for a trackwork rider having a prohibited substance in his or her system when riding trackwork. In determining what is the appropriate penalty, however, the Board should take into account the explanation of the rider for returning a positive. In this case, the Board has no hesitation in concluding that Ms Goddard was suffering from significant anxiety because of her family situation. This in turn caused her to sleep poorly which is a considerable problem for someone who has to rise early to ride horses.

The evidence is that Ms Goddard is regarded in the racing community as a person of good character and has an exemplary record in relation to the Rules of Racing. It should also be noted that the Valium was prescribed by her medical practitioner to enable her to sleep better. The Board is not satisfied that the Stewards paid sufficient regard to these matters in delivering penalty. Against that, however, there is the evidence of a positive finding of the sample taken six days after the original sampling. According to Mr Willers, the deputy director of RASL, metabolites of the substance should have been cleared from Ms Goddard's system by the end of three days after the original sampling. He made this statement after taking into account "much variance in the excretion dates from individual to individual".

It is to be noted that a further sample taken on 24 June was under the threshold of 200. Thus, there are competing considerations to weigh in the balance in determining penalty.

The onus is on the Appellant to satisfy the Board that the penalty was excessive. In arriving at any conclusion, it should be borne steadily in mind that the rule is there for a number of reasons, including the safety of riders and their mounts and the preservation of the image of racing.

After taking into account all relevant matters, the Board is of the opinion that the penalty was not outside the range of penalties open to the Stewards. Since a stay of five days was granted, the period of suspension in relation to riding trackwork will now expire at midnight on 18 July 2015.

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