

HEARING RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 6 September 2013

SUBJECT: **HEARING RESULT – TRAINER: ROBBIE LAING**

Panel Judge Russell Lewis (Chair), Professor Raymond Harbridge,
Mr Graeme Johnson.

Appearances Mr Laing appeared on his own behalf.
Mr James Ogilvy appeared on behalf of the Stewards.

Charge 1 Breach of AR 178 – prohibited substance.

The particulars of the charge being that a prohibited substance, Phenylbutazone and its metabolite Oxyphenbutazone (a non steroidal anti-inflammatory), was detected in a urine sample taken from the horse *Polanski* following its win in *The Golden Fleece & Court Jester Plate* (1600m) at Caulfield on Saturday, 25 May 2013.

Charge 2 Breach of AR 178F(1) – failure to keep and retain any record of the treatment.

Plea Charge 1 - guilty.
Charge 2 - guilty.

Decision **Charge 1** – Mr Laing convicted and fined \$3,000.

Pursuant to AR 177 *Polanski* disqualified as winner of Race 2 the *Golden Fleece and Court Jester Plate* (1600m) at Caulfield on Saturday, 25 May 2013 and the places amended accordingly:

1st – *Celeritas*, 2nd – *Eagle Island*, 3rd – *Western Heir*,
4th – *I'm an Outoftowner*, 5th – *Throw the King*, 6th – *Solo Saga*,
7th – *Prime Motive*.

Charge 2 – Mr Laing convicted and fined \$200.
To be made concurrent with the fine imposed in relation to Charge 1.

Total fine of \$3,000 due on or before 31 October 2013

TRANSCRIPT OF PROCEEDINGS

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
PROF R. HARBRIDGE
MR G. JOHNSON**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE GOLDEN FLEECE AND COURT JESTER
PLATE OVER 1600 METRES AT CAULFIELD ON 25/5/13**

TRAINER: ROBBIE LAING

MELBOURNE

FRIDAY, 6 SEPTEMBER 2013

MR J. OGILVY appeared on behalf of the RVL Stewards

MR R. LAING appeared on his own behalf

CHAIRMAN: This is a case where Mr Laing has failed to satisfy the Board with a reasonable explanation for the bute being in the horse's system. The Board is not required to make a finding as to how the bute came to be in the horse's system on race day. However, it does seem likely that Dr Forbes's view strongly suggests that the bute was given at a date closer to the race than 18 May.

The Board takes into account Mr Laing's plea of guilty and his absence of any prior convictions. The Board is impressed with Mr Laing's frankness and we believe he is an honest man in the way he has presented his case.

In all the circumstances, having regard to what has transpired in this hearing, the Board is inclined to think that the lower end of the scale suggested by Mr Ogilvy is the way to go. So Mr Laing on Charge 1 is fined the sum of \$3000.

In relation to Charge 2, he is fined the sum of \$200, which sum is to be concurrent with the penalty imposed on Charge 1. That is, the total amount of the fine to be paid by Mr Laing is \$3000.

It is mandatory that the horse be disqualified. Therefore, the Board makes that order that the horse, Polanski, is disqualified from the race which it won. The \$3000 fine is to be paid on or before 31 October 2013.
