

# Media Release

## Racing Appeals & Disciplinary Board

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27 March 2018

### **HRV RAD Board Hearing – Brett Cox**

The Harness Racing Victoria (HRV) Racing Appeals and Disciplinary (RAD) Board today heard a matter in regards to charges issued by HRV Stewards against licensed trainer-driver Brett Cox.

Mr Cox was issued with two charges under Australian Harness Racing Rule (AHRR) 241, which reads as follows:

*A person shall not in connection with any part of the harness racing industry do anything which is fraudulent or corrupt.*

The particulars of these charges were that Mr Cox acted fraudulently in relation to receiving payment for the training of the standardbred horses ‘Lis Mara Shadow’ and ‘Life Sign Shadow’ between February and April 2017, when these horses were spelling and not being prepared for racing at the relevant time. Mr Cox also acted fraudulently in advising the owners in August 2017 that these horses were present at his registered training establishment when they had been removed.

In addition to the above charges, Mr Cox was also issued with a charge under AHRR 243, which reads as follows:

*A person employed, engaged or participating in the harness racing industry shall not behave in a way which is prejudicial or detrimental to the industry.*

The particulars of this charge were that Mr Cox provided false information to licensed trainer-driver Kate Attard which lead to ‘Lis Mara Shadow’ and ‘Life Sign Shadow’ being given away in July 2017 without the consent of the owners and the horses ultimately being destroyed.

Mr Cox was also issued with two charges under AHRR 187(2), which reads as follows:

The Racing Appeals & Disciplinary Board (RADB) is established under section 50B of the Racing Act (1958). The RADB is an independent Board established to hear and determine appeals in relation to decisions made under the rules to impose penalties on persons and to hear and determine charges made against persons for serious offences.

*A person shall not refuse to answer questions or to produce a horse, document, substance or piece of equipment, or give false or misleading evidence or information at an inquiry of investigation.*

The particulars of these charges were that Mr Cox, in an interview with HRV Stewards on 22 November 2017, gave false and misleading information in relation to an investigation being conducted by HRV Stewards into this matter.

Mr Cox was also issued two charges under AHRR 96A(3), which reads as follows:

*Where a registered horse has been retired from racing or a decision has been made to not race the horse, the owner or trainer of the horse at the time of its retirement must, within one month of the horse's retirement, notify the Registrar by lodging the relevant form prescribed by the Registrar.*

The particulars of these charges were that Mr Cox failed to notify HRV that 'Lis Mara Shadow' and 'Life Sign Shadow' had been retired from racing and did not lodge the relevant form with the HRV Registrar.

Mr Cox pleaded guilty to all charges.

In respect of the charges pursuant to AHRR 241 and 243, Mr Cox was disqualified for a period of 3 years, which is effective immediately.

In respect of the charges pursuant to AHRR 187(2) and 96A(3), Mr Cox was issued a fine of \$750 for each breach, resulting in a penalty of \$3000 in total.

In determining penalty, the HRV RAD Board considered the serious consequences which resulted from the conduct of Mr Cox, the importance of animal welfare and the need for specific and general deterrence to protect the harness racing industry.

In addition, the HRV RAD Board took into account Mr Cox's guilty plea and his regret in relation to the matter.

*HRV RAD Board Panel: Alanna Duffy (Chair), Hugh Millar, Nicholas Rolfe.*