

Media Release

Racing Appeals & Disciplinary Board

28 May 2018

Larry Eastman

On 25 May 2018, the Harness Racing Victoria (HRV) Racing Appeals and Disciplinary (RAD) Board considered a charge issued by HRV Stewards under Australian Harness Racing Rule (AHRR) 267(1) against Mr Larry Eastman. The matter was heard by the HRV RAD Board upon the referral by the controlling body, following a recommendation by the HRV Stewards.

AHRR 267(1) reads as follows:

Subject to sub-rule (2) the Stewards may for such period and on such conditions as they think fit, disqualify a person who is found guilty of a crime or an offence in any State or Territory of Australia or in any country.

The charge relates to Mr Eastman being convicted in the Bendigo Magistrates Court on 25 January 2018, of five criminal charges. These charges included using corrupt conduct information for betting purposes and engaging in conduct that corrupts or would corrupt a betting outcome of an event.

Mr Eastman pleaded guilty to the charge before the HRV RAD Board heard submissions from Mr Lance Justice, representing Mr Eastman, and Mr Adrian Anderson, representing the HRV Stewards.

When assessing penalty the HRV RAD Board took into account Mr Eastman's guilty plea, his cooperation with authorities, his remorsefulness and his involvement with charities. However, the HRV RAD Board also noted that this is the worst category of offending, goes to the heart of the sport, the financial advantage was not meagre and that the confidence in the industry is affected by this serious conduct. The HRV RAD Board also endorsed the comments of Senior Member Proctor in the VCAT decision of Shayne Cramp (2017), where it was said;

The purpose of imposing penalties under the Australian Harness Racing Rules is primarily protective, to preserve the integrity of harness racing by imposing penalties sufficient to deter a guilty party from repeating the conduct (specific deterrence), send a message to the industry concerning the fate of those who offend against the rules (general deterrence) and to

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uphold the reputation of the industry with the betting public and the general public.

Mr Eastman was subsequently disqualified for a period of 16 years, with the HRV RAD Board stating that the period of disqualification would have been 20 years if not for the guilty plea from Mr Eastman. The disqualification was ordered to be back-dated to 16 November 2017, the date in which the licenses of Mr Eastman were suspended.

Acting under AHRR 193(5), the horse 'Waterslide' was disqualified from Race 5 at Charlton on 8 December 2014 and the placings amended accordingly. It was further ordered that under AHRR 200(1) that any prizemoney or trophy won by the horse from this event be refunded to the Controlling Body.

Lynette Eastman

On 25 May 2018, the Harness Racing Victoria (HRV) Racing Appeals and Disciplinary (RAD) Board considered three charges issued by HRV Stewards under Australian Harness Racing Rule (AHRR) 239A against Mrs Lynette Eastman.

AHRR 239A reads as follows:

A person whose conduct or negligence has led or could lead to a breach of the rules is guilty of an offence.

The three charges relate to Mrs Eastman being the trainer of the horse, 'Waterslide', when it raced in Race 5 at Charlton on 8 December 2014. The particulars of the charges were;

Charge 1 – Mrs Eastman's negligence led to a breach of the AHRR by Larry Eastman, as he did stomach tube the horse 'Waterslide' within three to five hours of the commencement of its race at Charlton on 8 December 2014.

Charge 2 – Mrs Eastman negligence has led to a breach of the AHRR, as 'Waterslide' was injected with potassium, following it racing at Charlton on 8 December 2014, and before a post-race blood sample was collected from the horse.

Charge 3 – Mrs Eastman negligence has led to a breach of the AHRR by Mr Larry Eastman, as Mr Eastman did endeavor to inject the horse Waterslide with potassium, following it racing at Charlton on 8 December 2014, and before a post-race blood sample was collected from the horse.

Mrs Eastman pleaded guilty to the three charges before the HRV RAD Board heard submissions from Mr Lance Justice, representing Mrs Eastman, and Mr Adrian Anderson, representing the HRV Stewards. When assessing penalty the HRV RAD Board took into account Mrs Eastman's guilty plea, her personal circumstances and her clear record. The HRV RAD Board noted however that a

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trainer's responsibilities cannot be abrogated in that they are ultimately responsible under the AHRR for all matters regarding horses that they train.

Mrs Eastman was subsequently disqualified for a period of four months on each of the three charges, with the penalties ordered to be served cumulatively. Mrs Eastman was therefore disqualified for a period of 12 months, with the HRV RAD Board stating that the period of disqualification would have been for a period of 18 months if not for the guilty plea from Ms Eastman. The disqualification was ordered to commence immediately.

Scott Dyer and Danny O'Bree

On 25 May 2018, the Harness Racing Victoria (HRV) Racing Appeals and Disciplinary (RAD) Board were scheduled to consider related charges issued by HRV Stewards against Mr Scott Dyer and Mr Danny O'Bree. Following submissions from Mr Dyer and Mr O'Bree requesting adjournments on personal grounds, the HRV RAD Board adjourned their matters to a date to be determined.