



On 12 December 2014, the Victorian Civil and Administrative Tribunal (VCAT) heard the application for review of Mr Andrew Vozlic in regard to the decision of the HRV Racing Appeals and Disciplinary (RAD) Board on 16 September 2013 to disqualify Mr Vozlic for a period of 6 months regarding an offence committed against Australian Rule of Harness Racing (ARHR) 259(1) which reads as follows:

*259(1) A disqualified person or a person whose name appears in the current list of disqualifications published or adopted by a recognised harness racing authority or a person warned off cannot do any of the following –*

- (a) associate with persons connected with the harness racing industry for purposes relating to that industry;*
- (g) enter any premises used for the purposes of the harness racing industry*
- (h) participate in any manner in the harness racing industry*

The rule breach related to Mr Vozlic being detected on the property of licensed trainer Mr Malcolm Retallick by HRV Stewards on 16 July 2013 for the purpose of shoeing horses for Mr Retallick. At the relevant time, Mr Vozlic was serving a 5 year period of disqualification that was imposed for presenting a horse to race with a prohibited substance in its system.

In October 2014, Mr Vozlic had been granted leave by the VCAT to make an application for review (of the 6 month disqualification imposed) out of time after he provided evidence that he had originally made the application within the required timeframe but had not heard from the VCAT and hadn't bothered to check on the status of his application.

At the hearing held on 12 December 2014, Mr Vozlic applied only for a review against the penalty imposed upon him. After hearing submissions from Mr Vozlic and the HRV Stewards, the presiding member, His Honour Judge Nixon, dismissed Mr Vozlic's application and confirmed the penalty imposed as being entirely appropriate. His Honour noted that Mr Vozlic had, prior to being detected by the HRV Stewards at the property of Mr Retallick, unsuccessfully sought permission from the HRV Board to continue working as a farrier whilst disqualified and despite this, had still decided to deliberately flout the rules. His Honour remarked that the message must be heard loud and clear by disqualified persons that the rules are there for a purpose.

Mr Vozlic's 6 month disqualification will commence on 4 June 2017 when his current disqualification period expires.