

Harness
Racing Appeals & Disciplinary Board

Media Release

Racing Appeals & Disciplinary Board

Result of a hearing held before the HRV Racing Appeals and Disciplinary Board on 5 October 2016.

Andrew Vozlic

Charge 1 – Rule 259(1)(a) – Associating with trainer Malcolm Retallick for purposes related to the harness racing industry

Guilty plea

Charge 2 – Rule 259(1)(a) – Associating with trainer Murray Jardine for purposes related to the harness racing industry

Guilty plea

Combined penalty for Charges 1 & 2 - \$2000 Fine.

Charge 3 – Rule 187(2) – providing false evidence at a Stewards investigation

Not Guilty plea

Charge Proven; Penalty - \$500 Fine.

Charge 4 – Rule 187(3) – failing to comply with a Stewards direction

Not Guilty Plea; Charge dismissed.

Charge 5 – Rule 259(1)(h) – participating in the harness racing industry while disqualified.

Not Guilty Plea; Charge dismissed.

HRV RAD Board Panel: Tony Burns (Chairman), Rod Osborne

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TRANSCRIPT OF PROCEEDINGS

RACING AND DISCIPLINARY BOARD

ANTHONY BURNS, Chairman

MR ROD OSBORNE

ANDREW VOZLIC

DECISION

WEDNESDAY 5 OCTOBER 2016

MR N CONDER appeared on behalf of the HRV Stewards

MR A JARDINE appeared for MR Vozlic

With regard to the penalties for Charges 1 & 2.

The rules have been recently changed that create even greater consequences for people that are currently disqualified who act in breach of Rule 259 in such that any future breach by Mr Vozlic would bring about a recommencement of the whole of his disqualification. The Rules are in place to protect the integrity of the industry and they're an important rule from an industry reputational point of view as well as integrity generally.

Given that there is a prior breach of this rule it needs to be dealt with from a perspective of general deterrence but also it must be balanced in the circumstances. If the rules allowed we would have imposed a 2 year disqualification but wholly suspended that so that it hung over his head to specifically deter him from acting this way in the future. Unfortunately the rules do not allow for a disqualification to be suspended. Given that his current disqualification does not end until December 2017 and the new rule change brings even heavier consequences for further offending he effectively has a

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further 5 years plus hanging over his head as a further breach before December 2017 would see the whole disqualification commence again.

A serious penalty is ordinarily required for a breach of this rule. Given however that we have evidence that Mr Vozlic is a fine practitioner in this art who has given of his time to assist horse related activity locally, and given that there is very limited opportunity for local horse people in the Mildura region to find quality farrier services we have taken the view that in the unusual circumstances here, a fine of \$2000 can meet the necessary sentencing considerations.

We take this view also, considering that following the conclusion of Mr Vozlic's disqualification he will still need to apply to HRV and satisfy the stewards that he is fit and proper person in the context of the rules.

Tony Burns
Chairman
HRV RAD Board

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