

**VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL  
ADMINISTRATIVE DIVISION  
REVIEW AND REGULATION LIST**

**VCAT Reference: Z151/2022**

**APPLICANT:** Harness Racing Victoria ABN:22 7649 108 53  
**RESPONDENT:** David Moran, Victorian Racing Tribunal  
**WHERE HELD:** Melbourne  
**BEFORE:** Senior Member E. Wentworth  
**HEARING TYPE:** Videoconference Hearing  
**DATE OF HEARING:** 6 December 2022  
**DATE OF ORDER:** 6 December 2022

**ORDERS**

For the reasons given at the hearing, the decision of the Victorian Racing Tribunal in respect of Charges 1 and 4 only is varied, and the following penalties are imposed in substitution, effective from 18 February 2022:

- 1 Charge 1, Breach of AHRR Rule 231(1)(f): The respondent is suspended for a period of 12 months. Of this period, eight months are suspended for a period of 24 months (commencing 18 February 2022) provided that the relevant Rule is not breached during the 24 month period. The immediate suspension period is therefore four months.
- 2 Charge 4, Breach of AHRR Rule 173(1): The respondent is suspended for a period of nine months. Of this period, six months are suspended for a period of 24 months (commencing 18 February 2022) provided that the relevant Rule is not breached during the 24 month period. The immediate suspension period is therefore three months.
- 3 The periods of immediate suspension are cumulative, totalling seven months, and the Tribunal records that they have already been served.

**SENIOR MEMBER E. WENTWORTH**

**APPEARANCES:**

For the applicant: Ms A Wood of Counsel  
For the respondent: Mr T Purdey of Counsel

