

**RACING APPEALS TRIBUNAL
QUEENSLAND
NOTICE OF DECISION**

APPEAL NO: RT003-09
DATE: 27 April 2009
APPELLANT: Rachael Matangi
RESPONDENT: Queensland Racing
APPEARANCES: Rachael Matangi on her own behalf
and Mr W Birch, steward on behalf of
Queensland Racing

REASONS FOR JUDGEMENT

Mr Brockwell Miller – Deputy Chairman

Mr Dennis Standfield - Member

This is an appeal by Rachael Matangi against the severity of the penalty imposed on her by stewards following a conviction under AR81A(1)(a). The circumstances leading to the conviction identify that the appellant is a track work rider and together with a significant number of track work riders was the subject of testing procedures undertaken at the Gold Coast Turf Club on Monday 23 February 2009. The sample provided by the appellant revealed the existence of Sympathomimetic Amines. It appears that after her work chores for Saturday had been completed she attended a nightclub in Surfers Paradise with other associates in the racing industry and had a considerable amount of alcohol. When she determined to attend the racetrack for track work riding purposes on Monday she was still suffering the effects of what now appear to be a recreational drug.

As a result the stewards determined that she be disqualified from holding a licence to ride track work for a period of six months. The stewards in their deliberations asked if there were any issues that needed to be placed before them that would enable them to be lenient when imposing any penalty. To her credit she provided information that identified her reliance on the racing industry to

a very large extent. The stewards considered that it was not proper that the industry be lenient with persons who were in charge of very dangerous and highly trained thoroughbreds and considered that in all the circumstances a period of six months disqualification was fair.

The appeal was lodged as a result of that imposition of penalty and this Tribunal having heard the evidence considers that a period of six months is more than reasonable as one could easily identify having regard to similar type occurrences and penalties imposed in New South Wales and other states that a significantly higher penalty could have been imposed. In the circumstances it is not appropriate that the penalty be varied and this appeal is dismissed and the deposit is forfeit.

Mr Brockwell Miller

Mr Dennis Standfield
