

**RACING APPEALS TRIBUNAL  
QUEENSLAND  
NOTICE OF DECISION**

**APPEAL NO:** RT004-09  
**DATE:** 27 April 2009  
**APPELLANT:** Adrian Stephen Gray  
**RESPONDENT:** Queensland Racing  
**APPEARANCES:** Adrian Stephen Gray on his 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 Adrian Stephen Gray against the severity of the penalty imposed on him 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 were 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 his work chores for Saturday had been completed he attended a nightclub in Surfers Paradise with other associates in the racing industry and had a considerable amount of alcohol. When he determined to attend the racetrack for track work riding purposes on Monday he was still suffering the effects of what now appear to be a recreational drug.

As a result the stewards determined that he 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 his credit he provided information that identified his 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

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Mr Dennis Standfield

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