



*Inquiry into the circumstances surrounding registered owner Mr Samuel Gray entering the course proper during the running of race 7 on Sunday 2 January 2022 at Gilgandra Jockey Club as the field passed the winning post.*

**Dubbo Turf Club,  
Dubbo**

**Wednesday 12 January 2022**

**Stewards: D.J. Bucknell (Chairman)  
E.A. Tickner  
J.D. Boehm**

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Stewards today conducted an inquiry into the circumstances surrounding registered owner Mr Samuel Gray entering the course proper during the running of race 7 on Sunday 2 January 2022 at Gilgandra Jockey Club as the field passed the winning post.

Evidence was taken from Mr Gray and stewards also considered a brief of evidence.

**Charge**

Mr Gray pleaded guilty to the following charge.

***AR228 Conduct detrimental to the interest of racing***

*A person must not engage in:*

*(b) misconduct, improper conduct or unseemly behaviour.*

The details of the charge being that on Sunday 2 January 2022 at Gilgandra Jockey Club during the running of race 7 he did engage in improper conduct in that, as the field approached the winning post, he did mount the outside running rail of the course proper and spray beer into the air whilst balancing on the outside running rail, and as a result he entered the course proper when dismounting from the outside running rail as the field passed the winning post.

**Penalty**

When assessing penalty Stewards took into account the following factors-

1. Plea
2. Disciplinary history
3. Nature of charge and the seriousness of the offence
4. Circumstances surrounding the offence
5. Personal and professional circumstances
6. Principal of specific and general deterrence and what message is to be sent to the industry and greater public in respect to such conduct

Stewards believed the appropriate penalty for the offence was a fine of \$5000. Having regard to Mr Gray's guilty plea and other mitigating factors, acting under AR 283(5) Stewards suspended \$2500 of the fine on the basis that Mr Gray does not breach any conduct related rules for a period of 2 years. Mr Gray was advised of his right of appeal.

## **Relevant Rules**

### **AR 228 Conduct detrimental to the interests of racing**

*A person must not engage in:*

*(b) misconduct, improper conduct or unseemly behaviour;*

### **AR 283 Penalties**

*(5) Any person or body authorised by the Rules to penalise a person may in respect of any penalty imposed in relation to the conduct of a person and other than in relation to a period of disqualification or a warning off, suspend the operation of that penalty either wholly or in part for a period not exceeding 2 years, on terms they think fit.*

**Dean Bucknell  
Chief Steward  
CD&WRA**