

Northern Territory

RACING APPEALS TRIBUNAL

Chairman: Tom Pauling AO Q.C.
Secretary: Edward Berry

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**APPEAL GARRY LEFOE – STAY OF PROCEEDINGS
REASON FOR DECISION**

Mr Garry Lefoe is a licensed trainer with Thoroughbred Racing Northern Territory (TRNT). He pleaded guilty to an offence against AR 240(2) in that on 19 February 2021 he brought a horse (Ima Puppet) to the Fannie Bay Racecourse for the purpose of participating in a race and a prohibited substance was detected in a post-race urine sample. The substance detected was an anabolic androgenise steroid.

The TRNT stewards imposed a six months disqualification. From that penalty Mr Lefoe lodged an appeal on 25 May 2021. He also seeks a stay of proceedings. His notice of appeal was accompanied by grounds of appeal and outline of argument drawn by his legal representative Mr Damian Sheales. The application for a stay was also supported by extensive submissions.

The stewards through their representative Mr David De Silva made answering submissions on 26 May 2021.

I have given close attention to the matters that are raised some of which are novel, far reaching and have not previously been argued before this Tribunal and may or may not persuade us to vary the penalty imposed.

In my opinion, balancing competing considerations and mindful of the ability of the Tribunal to get the matter heard and determined in a prompt manner I have decided to grant a stay in this matter.

To resolve confidently the multifarious considerations raised is not possible or desirable at this stage in the absence of a transcript and full argument and perhaps further evidence. I direct a stay until the matter is heard and determined. I approve legal representation. The hearing must commence within 28 days of the lodgement of the notice of appeal.

TOM PAULING AO QC
CHAIRMAN

