

TRNT Stewards Report – Tuesday 18 April, 2023

Panel: D Hensler (Chairman), S O'Brien
Venue: Stewards' Room, Darwin Turf Club

Stewards today finalised an inquiry into complaints lodged by TRNT Senior Stewards R Hamilton and P Carroll in relation to an incident involving registered owner Paul Masten. The inquiry commenced on Monday 27 March, 2023 and evidence was taken from all parties and a witness, senior jockey Jarrod Todd.

Mr Masten was subsequently charged with a breach of AR228(c). The specifics of the charge were that he did engage in improper behaviour, being that at the oncourse stables of the Darwin Turf Club on the morning of Friday 24 March, 2023 in the presence of multiple licensed persons, he did speak to Senior Stewards R Hamilton and P Carroll in an abusive manner, using offensive language when they were conducting race morning stable inspections.

Mr Masten pleaded not guilty to the charge and was granted an adjournment to present further evidence.

The matter resumed on Monday 17 April, 2023 and after considering further submissions including evidence from trainers E Clarke and C Pollard, the Stewards panel found Mr Masten guilty of the charge.

In determining a penalty Stewards took into account the following:

- The serious nature of the offence
- His conduct was detrimental to the image and interests of racing
- The incident took place on a racecourse whilst the Stewards were performing work duties
- The improper behaviour was unprovoked and in the presence of multiple licensed persons
- Whilst not licensed, as an owner he is bound by the Rules of Racing
- His personal circumstances
- The penalty must serve as a general and specific deterrent

Mr Masten was fined the sum of \$5000.

In accordance with AR283(5) Stewards suspended \$2000 of this fine for a period of 2 years on the condition that he is not found guilty of any further charge under AR228.

Mr Masten was advised of his right of appeal to the NT Racing Appeals Tribunal.

Australian Rules referred to in this report.

Division 3 – Conduct detrimental to the interests of racing

AR 228 Conduct detrimental to the interests of racing

A person must not engage in:

(c) improper or insulting behaviour at any time towards a PRA, the Stewards, a Club, or any official, employee, contractor or agent of any of them in relation to the relevant person's functions, powers or duties;

Division 4 – Penalties

AR 283 Penalties

(1) Subject to subrule (3), a person or body authorised by the Rules to penalise any person may, unless the contrary is provided, impose:

(a) a disqualification;

(b) a suspension;

(c) a reprimand; or

(d) a fine not exceeding \$100,000.

(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.