12 June 2020

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**MR DARREN MANTON & MR JOSEPH MANTON**

**Date of hearing:** 2 June 2020

**Panel:** Magistrate John Doherty (Deputy Chairperson).

**Appearances:** Ms Lucy Lingard-Smith appeared on behalf of the Stewards.

Mr Lance Justice appeared on behalf of Mr Darren Manton & Mr Joseph Manton.

**Charge:** Australian Harness Racing Rule (AHRR) 218 states a person having responsibility for the welfare of a horse shall not fail to care for it properly.

**Particulars of charges:**

**Darren Manton**

**Charge 1**

1. At all relevant times you were responsible for the care and welfare of all Standardbreds located at your registered training establishment at Huntly;
2. On Friday 1 February 2019, a horse which you had responsibility for namely ‘Prettygirl Blaze’ was presented for sale at the Echuca Saleyards and was identified to be in poor body condition;
3. ‘Prettygirl Blaze’ was examined by a Northern Rivers Equine Veterinarian and was found to be a body condition score of 1.5 out of 5;
4. The body condition score of ‘Prettygirl Blaze’ on 1 February 2019, resulted from your failure to provide proper and sufficient nutrition to the horse in the period you were responsible for its care.
5. Having responsibility for the welfare of ‘Prettygirl Blaze’ you did fail to care for it properly.

**Charge 2**

1. At all relevant times you were responsible for the care and welfare of all Standardbreds located at your registered training establishment at Huntly;
2. On Friday 11 February 2019, Harness Racing Victoria (HRV) Stewards conducted a stable inspection at Huntley;
3. The registered Standardbred ‘Prettyboyearl’ was examined by a HRV Veterinarian and was found to have a body condition score of 1 out of 5.
4. The body condition score of ‘Prettyboyearl’ on 11 February 2019, resulted from your failure to provide proper and sufficient nutrition to the horse in the period you were responsible for its care.
5. Having responsibility for the welfare of ‘Prettyboyearl’ you did fail to care for it properly.

**Charge 3**

1. At all relevant times you were responsible for the care and welfare of all Standardbreds located at your registered training establishment at Huntly;
2. On Friday 11 February 2019, HRV Stewards conducted a stable inspection at Huntley;
3. The registered Standardbred ‘Prettyboy Matt’ was examined by a HRV Veterinarian and was found to have a body condition score of 1.5 out of 5.
4. The body condition score of ‘Prettyboy Matt’ on 11 February 2019, resulted from your failure to provide proper and sufficient nutrition to the horse in the period you were responsible for its care.
5. Having responsibility for the welfare of ‘Prettyboy Matt’ you did fail to care for it properly.

**Charge 4**

1. At all relevant times you were responsible for the care and welfare of all Standardbreds located at your registered training establishment at Huntly;
2. On Friday 11 February 2019, HRV Stewards conducted a stable inspection at Huntly;
3. The registered Standardbred ‘Teds Legacy’ was examined by a HRV Veterinarian and was found to have a body condition score of 1.5 out of 5.
4. The body condition score of ‘Teds Legacy’ on 11 February 2019, resulted from your failure to provide proper and sufficient nutrition to the horse in the period you were responsible for its care.
5. Having responsibility for the welfare of ‘Teds Legacy’ you did fail to care for it properly.

**Charge 5**

1. At all relevant times you were responsible for the care and welfare of all Standardbreds located at your registered training establishment at Huntly;
2. On Friday 11 February 2019, HRV Stewards conducted a stable inspection at Huntly;
3. The registered Standardbred ‘Kokoda Courage’ was examined by a HRV Veterinarian and was found to have a body condition score of 1.5 out of 5;
4. The body condition score of ‘Kokoda Courage’ on 11 February 2019, resulted from your failure to provide proper and sufficient nutrition to the horse in the period you were responsible for its care;
5. Having responsibility for the welfare of ‘Kokoda Courage’ you did fail to care for it properly.

**Joseph Manton**

**Charge 1**

1. At all relevant times you were responsible for the care and welfare of all Standardbreds located at Huntly, the registered training establishment of your father Darren Manton;
2. On Friday 1 February 2019, a horse which you had responsibility for namely ‘Prettygirl Blaze’ was presented for sale at the Echuca Saleyards and was identified to be in poor body condition;
3. ‘Prettygirl Blaze’ was examined by a Northern Rivers Equine Veterinarian and was found to be a body condition score of 1.5 out of 5;
4. The body condition score of ‘Prettygirl Blaze’ on 1 February 2019, resulted from your failure to provide proper and sufficient nutrition to the horse in the period you were responsible for its care.
5. Having responsibility for the welfare of ‘Prettygirl Blaze’ you did fail to care for it properly.

**Charge 2**

1. At all relevant times you were responsible for the care and welfare of all Standardbreds located at Huntly, the registered training establishment of your father Darren Manton;
2. On Friday 11 February 2019, HRV Stewards conducted a stable inspection at Huntly;
3. The registered Standardbred ‘Prettyboyearl’ was examined by a HRV Veterinarian and was found to have a body condition score of 1 out of 5.
4. The body condition score of ‘Prettyboyearl’ on 11 February 2019, resulted from your failure to provide proper and sufficient nutrition to the horse in the period you were responsible for its care.
5. Having responsibility for the welfare of ‘Prettyboyearl’ you did fail to care for it properly.

**Charge 3**

1. At all relevant times you were responsible for the care and welfare of all Standardbreds located at Huntly, the registered training establishment of your father Darren Manton;
2. On Friday 11 February 2019, HRV Stewards conducted a stable inspection at Huntley;
3. The registered Standardbred ‘Prettyboy Matt’ was examined by a HRV Veterinarian and was found to have a body condition score of 1.5 out of 5.
4. The body condition score of ‘Prettyboy Matt’ on 11 February 2019, resulted from your failure to provide proper and sufficient nutrition to the horse in the period you were responsible for its care.
5. Having responsibility for the welfare of ‘Prettyboy Matt’ you did fail to care for it properly.

**Charge 4**

1. At all relevant times you were responsible for the care and welfare of all Standardbreds located at Huntly, the registered training establishment of your father Darren Manton;
2. On Friday 11 February 2019, HRV Stewards conducted a stable inspection at Huntly;
3. The registered Standardbred ‘Teds Legacy’ was examined by a HRV Veterinarian and was found to have a body condition score of 1.5 out of 5.
4. The body condition score of ‘Teds Legacy’ on 11 February 2019, resulted from your failure to provide proper and sufficient nutrition to the horse in the period you were responsible for its care.
5. Having responsibility for the welfare of ‘Teds Legacy’ you did fail to care for it properly.

**Charge 5**

1. At all relevant times you were responsible for the care and welfare of all Standardbreds located at Huntly, the registered training establishment of your father Darren Manton;
2. On Friday 11 February 2019, HRV Stewards conducted a stable inspection at Huntly;
3. The registered Standardbred ‘Kokoda Courage’ was examined by a HRV Veterinarian and was found to have a body condition score of 1.5 out of 5;
4. The body condition score of ‘Kokoda Courage’ on 11 February 2019, resulted from your failure to provide proper and sufficient nutrition to the horse in the period you were responsible for its care;
5. Having responsibility for the welfare of ‘Kokoda Courage’ you did fail to care for it properly.

**Plea:** Guilty

**DECISION**

Darren Manton and Joseph Manton, you have each pleaded guilty to five charges of breaching AHRR 218 which reads “A person having responsibility for the welfare of a horse shall not fail to care for it properly”.

In February 2019, HRV licensing Stewards attended the Echuca Horse Sales where they identified a standardbred mare, ‘Prettygirl Blaze’, in poor body condition. Subsequently, Stewards attended at a registered training establishment at Huntly to conduct another inspection of horses.

The Huntly property is the registered training establishment of Darren Manton, a licensed grade B trainer. At this property, one unregistered and three standardbred horses were assessed by veterinary inspection to be in poor condition.

It is clear that, at the relevant time, Darren Manton was not present on the property and it was his son, Joseph, previously a licensed grade C driver, who was effectively in charge of the management and care of the horses. Joseph had also arranged, with his father’s authority, to transport ‘Prettygirl Blaze’ to the Echuca Sales.

At the Huntly address inspection on 11 February 2019, Stewards also identified issues with the fencing of a yard which had fallen over, resulting in sharp metal edges and bolts protruding from one side of the fallen yard to the other. In addition, loose tin and bailing twine were lying in the paddock. The paddock had minimal grass and hay, and the hay that had been provided had been soiled and was inedible.

By way of explanation, Joseph told the Stewards that the horses’ condition had deteriorated quickly despite pumping the feed into them, and that he had not given them any hard feed. The reason for their condition according to Joseph was ‘just’ lack of feed and lack of money to pay for the feed.

Stewards, the following day, gave a written direction to Joseph and Darren Manton, including directions to undertake property improvements and to obtain a veterinary assessment of all horses at the property, as well as establishing a feeding plan for the horses.

When interviewed by the Stewards on 11 February, Darren Manton told the stewards that he had vacated the Huntly property and that Joseph had been left in charge of the horses. Darren Manton did acknowledge that, as the owner and trainer of the horses, he was also responsible for their care and welfare.

A later stable inspection at the Huntley address on 27 June 2019 revealed an improvement in all horses except for ‘Teds Legacy’, which also had a leg injury. Teds Legacy was ultimately euthanased. An inspection of the paddock also revealed that the directions from the Stewards had been complied with.

A breach of AHRR 218 is regarded as a serious breach. It is critical to the Harness Racing Industry that all horses are well cared for both in their racing career and retirement.

Previously, the HRV RAD Board had imposed a 5-year disqualification for a breach of Rule 218. On this occasion however, HRV are seeking a disqualification, but for a much lesser period than 5 years.

Darren Manton has been licensed as a grade B trainer since 2010 and held a drivers licence since 2012. Joseph Manton is unlicensed, but previously has held a stable hand and a grade C driver licence.

Both men’s records are clear of any relevant offences. HRV accepts that their records are good. The Tribunal can also take into account the pleas of guilty by both men and their cooperation with the Stewards.

In the case of Darren Manton, it is now clear that at the relevant time he was not living at the Huntly property, as his marriage had broken down. Horses had been sent to the Echuca sales in order to provide some money to accommodate the horses remaining on the property, whose welfare was also affected by drought conditions in Victoria at that time.

There was an expectation on Darren Manton’s behalf that monies sent back by him would assist the horses still on the farm. It is also relevant to note that Darren Manton had also lost his job at the relevant time, although he is now employed as a truck driver. Although he still has horses, his income is not dependent on them. The same applies to Joseph. Finally, the Stewards are satisfied that all their direction to the Manton’s have been complied with.

In assessing penalty, consideration must be given to the principles of general deterrence and, to a lesser extent in these cases, specific deterrence. The offences are serious.

In respect of Joseph Manton, the penalty given is a disqualification of all licences on each charge for a period of 12 months. In respect of charges 2-5 inclusive, each period of disqualification will be served concurrently with the disqualification of 12 months on charge one. That means there is an effective period of disqualification of 12 months.

In respect of Darren Manton, there will be a disqualification for a period of 9 months on each charge with the penalty on charges 2-5 inclusive being concurrent with charge one, making an effective period of disqualification 9 months.

Darren’s disqualification to be effective from 1 July 2020.

Joseph’s disqualification is immediate.

Mark Howard
Registrar, Victorian Racing Tribunal