7 October 2021

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**MARYANNE LAFFAN**

**Date of hearing:** 6 October 2021

**Panel:** Judge Graeme Hicks (Deputy Chairperson) and Ms Judy Bourke.

**Appearances:** Mr Andrew Cusumano appeared on behalf of the Stewards.

Dr Richard Ingleby, instructed by Ms Nicola Hoobin, represented Ms Maryanne Laffan.

Ms Maryanne Laffan attended the hearing.

**Charge:** Australian Harness Racing Rule (“AHRR”) 190(1) states:

A horse shall be presented for a race free of prohibited substances.

**Particulars of charge:** 1. At all relevant times, you were a licensed trainer with Harness Racing Victoria (“HRV”) and a person bound by the Australian Harness Racing Rules (“AHRR”);

2. At all relevant times, you were the registered trainer of the horse “Silky Smooth Excuse”;

3. On 29 November 2020, Silky Smooth Excuse was presented to race at the Shepparton harness racing meeting in Race 3, the “Your Sold Real Estate Pace (1st Div)”;

4. Prior to Race 3, the Your Sold Real Estate Pace (1st Div), a urine sample was collected from Silky Smooth Excuse with subsequent analysis of that sample revealing the presence of heptaminol;

5. As the trainer of Silky Smooth Excuse on 29 November 2020, you presented that horse to race in the Your Sold Real Estate Pace (1st Div) at Shepparton whilst not free of the prohibited substance heptaminol.

**Plea:** Guilty

**DECISION**

Ms Maryanne Laffan, you have pleaded guilty to breaching Australian Harness Racing Rule (“AHRR”) 190(1), in that you presented your horse, “Silky Smooth Excuse”, in Race 3 at the Shepparton harness meeting held on 29 November 2020 when it was not free of a prohibited substance, namely heptaminol.

Heptaminol is a drug used to assist horses that tie up and can affect the performance of a horse.

We have taken into account your plea of guilty, your cooperation with the Stewards, your training record and your personal circumstances.

As part of your personal circumstances, we accept that you are in poor health, unable to work regular hours and are in considerable pain. Your training record is not good. Without setting it out fully, it can be briefly stated as follows:

* In April 2005 you were granted your trainer’s licence;
* In 2006 you were disqualified for the same offence as that before us today;
* In October 2015, some nine years later, you applied for and were again granted your training licence;
* In March 2018 you were again disqualified for the same offence as that before us today; and
* In August 2019 you were again granted your training licence.

On 29 November 2020, being the matter before us, you again breached AHRR 190(1) by presenting your horse, Silky Smooth Excuse, in Race 3 at the Shepparton harness meeting when it was not free of a prohibited substance, namely heptaminol.

Principles of general and specific deterrence have their part to play in determining an appropriate penalty. It is important that harness racing is conducted on a level playing field without the presence of prohibited substances.

In all the circumstances, you are suspended for a period of three months, to commence immediately. We order that Silky Smooth Excuse be disqualified from Race 3 at Shepparton on 29 November 2020 and that the placings be amended accordingly.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal