23 December 2024

**DECISION**

**RACING VICTORIA**

**and**

**ALYSHA VASS**

**Date of hearing:** 4 December 2024

**Date of decision:** 4 December 2024

**Panel:** Judge John Bowman (Chairperson) Ms Judy Bourke and Dr June Smith.

**Appearances:** Mr Adrian Anderson instructed by Mr Patrick Considine appeared on behalf of the Stewards.

Ms Alysha Vass did not attend the hearing.

**Charge:** Australian Rule (“AR”) 232(h) states:

AR 232 Failure to observe processes and directions of PRAs or Stewards

A person must not:

*(h) refuse or fail to attend or give evidence at an interview, investigation, inquiry, hearing or appeal when directed or requested to do so by a PRA, the Stewards or a person authorised by a PRA or the Stewards;*

**Particulars:** 1. You were, at all relevant times, a “relevant person” (as defined by Local Rule 2) and bound by the Rules of Racing.

 2. On 9 February 2024, you were directed by Racing Victoria Investigator/Stipendiary Steward, Emily Barron, to make arrangements to attend an interview to be conducted by close of business on Friday 16 February 2024.

 3. You failed to comply with the direction issued on 9 February 2024.

**Plea:** Guilty

**DECISION**

Ms Alysha Vass did not take part in the hearing of this charge against her pursuant to AR 232(k). However, she had earlier informed the Registrar of her pleading guilty to the charge and told him that she would not be taking part in the hearing. There is no suggestion that she has any way resiled from this position.

We are also comfortably satisfied that Ms Vass was made well aware of the timing and nature of this hearing.

We repeat that we are quite satisfied that the Registrar had made Ms Vass fully aware of the time and nature of the hearing. She clearly stated her plea of guilty and the fact that she would not be participating in the hearing.

To err on the side of caution, the Stewards case was presented fully by Mr Anderson, who also referred to penalties in some like cases.

We are comfortably satisfied that the charge has been proven. Ms Vass failed to attend an interview with Stewards on 16 February 2024. She had been given ample warning of the date of the interview and there had been earlier contacts.

We are also comfortably satisfied that she is a person who falls within the ambit of operation of the relevant Rule. She is a racehorse owner.

Thus, the requirements of the charge and the failure to comply with the Rule have been proven to our comfortable satisfaction.

The work of the Stewards is difficult enough without relevant participants failing to comply with requests such as that in the present case. We are aware of the penalties that have been applied in similar cases.

In addition, we take the plea of guilty into account, as we do the comparatively low level of the participation of Ms Vass in the matter being investigated by the Stewards.

However, this is a serious matter that was being investigated and time was wasted by the Stewards in attempting to interview her.

No similar prior offences are alleged.

In all the circumstances, and despite the low level of participation by Ms Vass is what was being investigated, we are of the view that a period of disqualification is warranted.

We fix that period of disqualification as being one of 3 months, effective from today.

Mark Howard

Registrar, Victorian Racing Tribunal