

TRNT Stewards Report – Monday 1 July, 2024

Panel: D Hensler (Chairman), R Hamilton
Venue: Stewards' Room, Darwin Turf Club

Stewards today concluded an inquiry into a complaint lodged by jockey Mark Pegus against trainer Garry Lefoe concerning an incident at track work on Tuesday 25 June, 2024.

The inquiry was conducted over three sessions and evidence was considered from Mark Pegus, Garry Lefoe, jockey Jarrod Todd and track rider Kim Gladwin. The Stewards also reviewed the CCTV footage from the morning.

Subsequently Garry Lefoe was found guilty of a breach of AR228(b) for engaging in improper conduct. The specifics of the charge being:

- On 25 June, 2024 he was licensed as a trainer with TRNT
- On that morning he was in attendance at track work at the Darwin Turf Club
- At the time he was aware that there was a Nationally Recognised Domestic Violence Order in force with him as the respondent and licensed jockey Mark Pegus as the protected person
- At approximately 6.37am on that morning he did approach jockey Mark Pegus when he was riding a thoroughbred and verbally threaten him

In determining a penalty, the Stewards took into account the following:

- All licensed persons are entitled to participate in the Racing Industry without being concerned for their safety or wellbeing
- He had demonstrated scant regard for the fact that the Stewards had suspended the operation of a 3 month suspension for a period of 12 months imposed on 21 May, 2024 relating to charge of engaging in conduct prejudicial to the image of racing involving Mark Pegus
- He had breached this further conduct related rule within two weeks of resuming training from a term of suspension imposed for providing a sample that was positive to a banned substance
- There is a Nationally Recognised Domestic Violence Order in place following his criminal conviction for a previous aggravated assault on Mark Pegus and this highlights the serious nature of this offending
- His personal circumstances and overall disciplinary record
- The penalty must serve as a specific and general deterrent

Garry Lefoe had his license suspended in full for a period of 3 months due to breaching the 12 month suspended order issued on 21 May, 2024 under the provisions of AR283(5).

For this breach of AR228(b) a 6 month disqualification was imposed effective immediately.

Under the provision of AR283 (7)&(8) the Stewards defer the commencement of the disqualification by seven (7) days to allow him to make appropriate arrangements for the care of thoroughbreds currently in his stable.

Mr Lefoe was informed of his right of appeal to the NT Racing Appeals Tribunal.

Australian Rules referred to in this report.

AR 228 Conduct detrimental to the interests of racing

A person must not engage in:

(b) misconduct, improper conduct or unseemly behaviour;

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.

(7) A person or body authorised by these Australian Rules to suspend or disqualify any trainer may defer the commencement of the period of suspension or disqualification for no more than 7 clear days following the day the suspension or disqualification was imposed, and upon terms and conditions considered fit.

(8) Notwithstanding that the commencement of a period of disqualification may be deferred under subrule (7), a trainer must not start a horse in any race from the time of the decision to disqualify that trainer until the expiration of the period of disqualification.