

THE RACING PENALTIES APPEAL TRIBUNAL

**REASONS FOR DETERMINATION OF
MR D MOSSENSON (CHAIRPERSON)**

APPELLANT: PETER ANDREW STAMPALIA
APPLICATION NO: A30/08/546
PANEL: MR D MOSSENSON (CHAIRPERSON)
MR J PRIOR (MEMBER)
MR W CHESNUTT (MEMBER)
DATE OF HEARING: 25 OCTOBER 2001
DATE OF DETERMINATION: 28 FEBRUARY 2002

IN THE MATTER OF an appeal by Mr PA Stampalia against the determination made by the Stewards of the Western Australian Trotting Association on the 21 August 2001 imposing a 6 month warning off for breach of Rule 243 of the Rules of Harness Racing.

Mr PA Stampalia appeared in person.

Mr WJ Sullivan appeared on behalf of the Stewards.

Mr PA Stampalia and numerous others participated in a wild melee at York Trotting Club on 25 July 2001 following the completion of the meeting. The other main participants held licences, 3 being trainer/drivers and one an owner. Although Mr PA Stampalia was unlicensed at the time the transcript described him as 'patron'. After an inquiry the Stewards convicted the appellant of a breach of Rule 243 of the Rules of Harness Racing and warned him off for 6 months. Four of the other participants were also the subject of a Stewards' inquiry. All were convicted and given a 6 month penalty.

I refer to the reasons for determination in GB Elliott (Appeal 543), which was the first of 3 appeals involving the incident dealt with by the Tribunal. In those reasons I go into some detail as to the background to the 3 appeals which were made to the Tribunal arising out of the inquiries and convictions which followed the melee and the complications associated with the determination of the matter. I adopt all of that detail for this determination.

In those reasons I quote Mr Castillo's written report of the incident which involved this appellant. I go into some detail as to the role of this appellant. In a nutshell this appellant abused Mrs Elliott which triggered off a chain of events leading to a punch up and wrestling match with Mr G Elliott. Steward, Mr Castillo, was present but he was physically unable to keep the warring factions apart.

There is no room in trotting for Mr Stampalia's undisciplined behaviour. The Rules authorise the Stewards to convict and punish those who are involved in the industry who behave in a way which is detrimental to the industry (Rule 243).

Despite the complications which arise in the matter and which are identified in the reasons in GB Elliott's determination, I am entirely satisfied that the Stewards correctly convicted this appellant of a breach of the Rules for his role and participation in the uncouth conduct at the York Trotting Club on the 25 July 2001. Further, nothing has been presented which persuades me that the Stewards were in error in regard to the penalty which they imposed.

For these reasons I would dismiss the appeal in its entirety.



DAN MOSSENSON, CHAIRPERSON



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APPELLANT: PETER ANDREW STAMPALIA

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Mr WJ Sullivan appeared for the Stewards of the Western Australian Trotting Association.

I have read the draft reasons of Mr D Mossenson, Chairperson.

I agree with those reasons and conclusions and have nothing to add.

John Prior



JOHN PRIOR, MEMBER

THE RACING PENALTIES APPEAL TRIBUNAL

REASONS FOR DETERMINATION OF
MR W CHESNUTT (MEMBER)

APPELLANT: PETER ANDREW STAMPALIA

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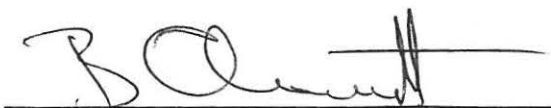
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WILLIAM CHESNUTT, MEMBER

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Mr WJ Sullivan appeared for the Stewards of the Western Australian Trotting Association.

This is a unanimous decision of the Tribunal.

For the reasons published the appeal is dismissed.

Dan Mosenson

DAN MOSSENSON, CHAIRPERSON

