

## Appeal decision

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**Hearing date:** 20 October 2015

**Decision date:** 20 October 2015

**Code of racing:** Thoroughbred

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**Appeal panel:** Mr B. Miller (chair), Mr P. James and Mr G. Casey.

**Appearances:** Mr S. Stanek, appeared on his own behalf.  
Mr I. Brown, stipendiary steward, appeared on behalf of the stewards.

**Decision being appealed:** Refusal by Racing Queensland to relicense Mr Stanek as a trainer.

**Appeal result:** Dismissed.

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### **Extract of proceedings—in the matter of the refusal by Racing Queensland to relicense Mr S. Stanek as a trainer.**

THE CHAIRMAN: Mr Steven James Stanek was the holder of a trainer's licence which was disqualified in 2013, and he applied to Racing Queensland after the period of disqualification had passed to be relicensed, as is the appropriate step under the Rules of Racing. To facilitate the provision of that license, Mr Stanek was interviewed by members of the Licensing Committee and gave certain statements to them identifying the manner in which it was alleged he ceased or left the inquiry that had been originally convened.

It is accepted by all bar Mr Stanek that at the relevant time he became aggressive and he effectively identified that, in his words, he had purely knocked over the microphone. That is indeed unfortunate because Mr Gary Palmer, who was the chair of that inquiry at the relevant time, had the presence of mind to record exactly what had transpired and that is part of the evidence that was before the Licensing Committee and before this Tribunal.

The issue that this Tribunal is asked to consider is whether or not Mr Stanek is a fit and proper person to be relicensed. The determination made by the licensing panel was that he is not at this point in time such a fit and proper person, and, frankly, this Tribunal or Board does not disagree with that finding. There can be no better example of poor control than exhibiting areas of temper, frustration, and what can almost amount to a physical assault

upon a steward of Racing Queensland when one is dissatisfied with a determination that has been made against him.

Mr Stanek has in an email of 3 September addressed to Mr Alan Reardon, Chairman of Stewards of Racing Queensland, apologised and it would appear that perhaps today he is now becoming more and more aware that he has issues that need to be resolved.

This Board does not propose to grant this appeal and to relicense Mr Stanek at this point in time. It is asked by Racing Queensland to uphold its formal decision made in 2015 - which is the subject of this appeal - and it is the determination of this Board that that decision is reaffirmed - that at the present point in time Mr Stanek is not, for the purposes of the Rules of Racing Queensland and the policy, a fit and proper person to be relicensed.

Having said that, and having identified that this appeal is dismissed, the Board wishes to make the following comments. Mr Stanek has identified that he is a changed person, which would appear perhaps to have little founding without some facilitation of a formal line of evidence to support such a contention. If this Board were to be asked to consider the granting of a licence subsequently, it would need to see that Mr Stanek has addressed the issues of anger management and anxiety, and addressed them by an appropriate conference with medical practitioners or with people who are skilled in providing that form of rehabilitation.

Once that is done, and once facilitation of that is presented to the Racing Queensland stewards it may be - and we say only maybe - a matter for the stewards to determine whether then and at that appropriate time he is a relevant person and is a fit and proper person to be relicensed.

At this point in time this Board will not entertain the matter and dismisses the appeal.