

# Stewards' Report

## Stewards Report: Malcolm Johnson

**Date: 10/08/2020**

**Steward: J Williamson, D Aurisch, L Hicks, P Zimmermann**

Stewards today inquired into a complaint lodged by trainers regarding the conduct of Malcolm Johnson, whilst in his employment. After considering all the evidence provided, stable hand Mr Malcolm Johnson pleaded guilty to two charges under AR 229, which reads:

- (1) A person must not:
  - (a) Engage in any dishonest, corrupt, fraudulent, improper or dishonourable action or practice in connection with racing

The particulars of the charges being that:

- (1) Mr Malcolm Johnson did engage in an improper action, in that he, by his own admissions deliberately and improperly took possession of two saddles, owned by Esprit Racing, on or about March 24, 2020.
- (2) On or about April 29, 2020, Mr Malcolm Johnson did fraudulently attempt to sell two saddles, which he did not own, in an attempt to obtain financial gain.

After considering submissions on penalty Mr Johnson was disqualified for a period of 12 months on both charges to be served concurrently and to commence midnight August 10, 2020 and to conclude midnight August 10, 2021

In determining penalty, stewards were mindful of Mr Johnsons' guilty pleas, forthright evidence, his personal circumstances, disciplinary history, and penalty precedents. Furthermore, the deterrent effect of penalties must be sufficient to prevent likeminded individuals from considering such a course of action when faced with similar circumstances.