

DETERMINATION AND REASONS FOR DETERMINATION OF  
THE RACING PENALTIES APPEAL TRIBUNAL

APPLICANT: GREGORY DONALD HARPER  
APPLICATION NO: A30/08/473  
PANEL: MR D MOSSENSON (CHAIRPERSON)  
DATES OF HEARING 8 & 10 SEPTEMBER 1999  
DATE OF DETERMINATION: 10 SEPTEMBER 1999

---

IN THE MATTER OF an application for leave to appeal by Gregory Donald Harper against the determinations made by the Stewards of the Western Australian Turf Club on 23 August 1999 to deny legal representation at their inquiry and to refuse to discontinue that inquiry.

---

Mr S Owen-Conway QC, assisted by Ms S Lloyd, instructed by Hammond Worthington, appeared for the applicant.

Mr R J Davies QC appeared for the Western Australian Turf Club Stewards.

---

This is an application for leave to appeal made pursuant to Section 13 1(d) of the *Racing Penalties (Appeals) Act* in respect of two separate determinations of the Stewards made in the course of their inquiry.

The first is the denial of legal representation at the inquiry and the second is the refusal to discontinue the inquiry.

Three grounds have been advanced in support of the application for leave. Taking into account the stage of the Stewards' inquiry and the arguments raised in support of the Stewards' position by Mr Davies I am not persuaded to allow this application to proceed to an appeal.

Accordingly leave is not granted and the application is refused.



---

DAN MOSSENSON, CHAIRPERSON

