



TRNT Stewards Report – Wednesday 15th June, 2022

Panel: D Hensler, R Hamilton, D Westover, S Copelin

Venue: Darwin Stewards Room

The TRNT Stewards today conducted an inquiry into the analyst's findings from race day blood samples taken from SEDONA after competing at the Alice Springs race meeting on 12 March, 2022 and SOLDIEROFTHEBRAVE prior to competing at the same venue on 9 April, 2022. Both geldings were trained by licensed TRNT trainer Phil Cole.

The Australian Racing Forensic Laboratory (ARFL) issued a first certificate in each case and the confirmation analysis was performed and the second certificate confirming the results was issued by Racing Analytical Services Limited (RASL). Evidence was tendered by trainer Phil Cole, his licensed stable foreman Paul Gardner, RWWA Racing Industry veterinarian Dr J Medd, ARFL Science Manager Dr A Cawley and written evidence from veterinarian Dr D Arnold.

Subsequently Mr Cole was issued with the following charges under the Australian Rule of Racing.

Charge 1 – He pleaded guilty under AR 240(2) with the specifics being as the licensed trainer of SEDONA he did bring that gelding to the Alice Springs Turf Club meeting held at Pioneer Park racecourse on 12 March, 2022 for the purpose of participating in race 2, the CKS Benchmark 54 Handicap (1100m) with the prohibited list B substances lignocaine and norlignocaine being detected in the post race blood sample taken from the gelding.

Charge 2 – He pleaded guilty under AR 240(2) with the specifics being that as the licensed trainer of SOLDIEROFTHEBRAVE he did bring that gelding to the Alice Springs Turf Club meeting held at Pioneer Park racecourse on 9 April, 2022 for the purpose of participating in Race 4 the Seppelt Wines Open Handicap (1100m) with the prohibited list B substance triamcinolone acetonide being detected in the pre race blood sample taken from the gelding.

Charge 3 - He pleaded guilty under AR 104(1) with the specifics being that he failed to record the administration of an S4 medication to SOLDIEROFTHEBRAVE leading up to the gelding competing in a race at the Alice Springs Turf Club on 9 April, 2022.

Acting under the provisions of Australian Rule of Racing 240(1), the Stewards made the following orders in relation to disqualifications from placings –

SEDONA was disqualified from first placing in race 2 on 12 March, 2022

SOLDIEROFTHEBRAVE was disqualified from sixth placing in race 4 on 9 April, 2022

The results of these races will be amended accordingly with commensurate implications to stake money.

In consideration of a penalty for charge 1 Stewards took into account the following factors:

- The seriousness of the charge
- The therapeutic nature of the prohibited substances
- The high detected level and the absence of any cogent explanation for the presence of the prohibited substances
- Co-operation and acknowledgement of the offence by pleading guilty
- Long involvement in the industry and personal circumstances
- Previous breach of this rule in 2019
- Previous penalties issued in relation to the detection of therapeutic substances
- The penalty must serve as a specific and general deterrent

A fine of \$9000 was imposed.

In consideration of a penalty for charge 2 Stewards took into account the following factors:

- The seriousness of the charge
- The therapeutic nature of the prohibited substance and the circumstances of the intra-articular administration of treatment performed by the stable veterinarian being the likely cause of the detection
- The low detected level
- Co-operation and acknowledgement of the offence by pleading guilty
- Long involvement in the industry and personal circumstances
- Previous disciplinary history
- Previous penalties issued in relation to the detection of therapeutic substances

A fine of \$4000 was imposed.

The relation to charge 3 a fine of \$1000 was imposed.

Mr Cole was advised of his rights of appeal to the NT Racing Appeals Tribunal and that the fines must be paid within 6 months.

Australian Rules of Racing referred to in this report:

Division 2 – Prohibited substance in a sample taken from a horse

AR 240 Prohibited substance in sample taken from horse at race meeting

(1) Subject to subrule (3), if a horse is brought to a racecourse and a prohibited substance on Prohibited List A and/or Prohibited List B is detected in a sample taken from the horse prior to or following its running in any race, the horse must be disqualified from any race in which it started on that day.

(2) Subject to subrule (3), if a horse is brought to a racecourse for the purpose of participating in a race and a prohibited substance on Prohibited List A and/or Prohibited List B is detected in a sample taken from the horse prior to or following its running in any race, the trainer and any other person who was in charge of the horse at any relevant time breaches these Australian Rules.

AR 104 Trainers must keep treatment records

(1) A trainer must record any medication or treatment administered to any horse in the trainer's care by midnight on the day in which the administration was given.