

TRNT Stewards Report – Tuesday 4th October, 2022

Panel: D Hensler, R Hamilton, D Westover

Venue: Darwin Stewards Room

The TRNT Stewards today conducted an inquiry into the analyst's findings that the blood samples collected from BARTOLINI after competing and winning at the Alice Springs Turf Club race meeting on 3rd July 2022, contained the presence of the prohibited list B substance lignocaine.

The Australian Racing Forensic Laboratory (ARFL) issued a first certificate for this finding and the confirmation analysis was performed and the second certificate was issued by Racing Analytical Services Limited (RASL). Evidence was tendered by trainer Mr Phil Cole, stable foreman Mr Paul Gardner, RWWA regulatory veterinarian Dr C McMullen and ARFL General Manager Mr J Keledjian.

Subsequently Mr Cole pleaded guilty to a charge under Australian Rule of Racing AR240(2) with the specifics being that as the trainer of BARTOLINI he did bring that gelding to the Alice Springs Turf Club race meeting held at Pioneer Park racecourse on 3rd July, 2022 for the purpose of participating in race 1 the Talice Security Services Class 2 Handicap (1200m) with the prohibited list B substance lignocaine being detected in the post - race blood sample taken from the gelding.

Acting under the provisions of Australian Rule of Racing 240(1), the Stewards disqualified BARTOLINI from the abovementioned race and the results will be amended accordingly with commensurate implications to stake money and TROBIS bonuses.

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

- The seriousness of the charge
- The therapeutic nature of the prohibited list B substance and detected level
- His acknowledgement of the breach as demonstrated by his guilty plea
- The absence of any cogent explanation for the presence of the prohibited substance given lignocaine is a Schedule 4 drug and therefore only available through a veterinarian for therapeutic use on thoroughbreds
- His long involvement in the industry and personal circumstances
- Previous disciplinary record relating to positive swab breaches
- Previous penalty precedents for prohibited substances
- Penalties are required to reflect a deterrent factor – both general and specific

A fine of \$12 000 was imposed.

Mr Cole was advised of his rights of appeal to the NT Racing Appeals Tribunal and that the fine 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.