

TRNT Stewards Report – Friday 20th October 2023

Panel: D Hensler (Chairman), R Hamilton, P Carrol
Venue: Darwin Turf Club Stewards' Room

Stewards today conducted an inquiry into the analyst's findings of the blood samples collected from CENTURY FOX before and after competing in and finishing second at the Darwin Turf Club race meeting on 8 July, 2023. The certificates of analysis for the pre race blood sample detected the presence of nicotine and its metabolite cotinine and the post race blood sample detected the presence of cotinine.

The Australian Racing Forensic Laboratory (ARFL) issued the first certificates for these findings and the confirmation analysis was performed and the second certificates issued by Racing Analytical Services (RASL).

Evidence was tendered by trainer Mr Dick Leech, ARFL General Manager Mr J Keledjian and RWWA Industry Veterinarian Dr Judith Medd. After considering the scientific evidence relating to excretion times and the low detected levels, the Stewards were satisfied that the presence of nicotine and cotinine in the samples was most likely the result of the gelding being subjected to some type of inadvertent exposure to or ingestion of, tobacco or a similar product containing nicotine. A review of the CCTV footage in the race day stalls on the day did not identify any such exposure once the gelding arrived on course.

Subsequently, Mr Leech pleaded guilty to a charge under AR240(2)

The specifics of the charge being:

- He is a thoroughbred trainer licensed by TRNT
- At the relevant time he was the licensed trainer of CENTURY FOX
- On 8 July, 2023 CENTURY FOX was brought to the Darwin Turf Club race meeting held at Fannie Bay racecourse for the purpose of participating in race 9, the Darwin Guineas over 1600m.
- Upon analysis prohibited substances were detected in the pre race blood samples collected from CENTURY FOX, those substances being Nicotine and its metabolite Cotinine. Cotinine was also detected in the post race blood sample collected from the gelding.
- Nicotine and its metabolite Cotinine are prohibited substances pursuant to Division 1 of Part 2 of Schedule 1 of the Australian Rules of Racing (Prohibited List B)

Acting under the provisions of AR240(1), the Stewards disqualified CENTURY FOX from the abovementioned race and the results will be amended accordingly with commensurate implications to stake money and TROBIS bonuses.

In determining penalty Stewards took into account the following:

- The seriousness of the offence
- The low detected levels and scientific evidence indicating inadvertent exposure to, or ingestion of nicotine was a plausible explanation
- The nature of the prohibited List B substance being a stimulant and potentially performance enhancing
- Guilty plea, co-operation and personal circumstances
- Previous breaches of this rule in 2019 and 2008
- Previous penalty precedents relating to Prohibited List B substances
- Penalties are required to reflect a deterrent factor – both general and specific

A fine of \$6000 was imposed.

Mr Leech 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.