

TRNT Stewards Report – Monday 26 February, 2024

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

Stewards today finalised an inquiry into a complaint relating to the conduct of trainer Mark Nyhan in the saddling enclosure at the Darwin Turf Club race meeting on Friday 23 February, 2024.

Evidence was heard from Mark Nyhan, TRNT employee Ella Baird, DTC employee Michael Davies, jockeys S Logan, A Nicholls and A Sweeney

Mark Nyhan was subsequently found guilty of a charge under AR228(c) of engaging in improper behaviour. The specifics of the charge were that at the race meeting conducted at the Darwin Turf Club on Friday 23 February, 2024 in the saddling enclosure following the running of race 2, he did direct offensive language in an abusive manner towards TRNT assistant steward Ella Baird when she was performing her work duties.

In determining a penalty Stewards took into account the following:

- The serious nature of the offensive language that was directed at a female employee
- He showed no remorse for his behaviour
- His personal circumstances
- His long involvement in the Racing Industry
- Penalty precedents for this rule
- The penalty must serve as a general and specific deterrent

Mr Nyhan trainers' licence was suspended for a period of 2 months. He was given (7) days to arrange the relocation of the thoroughbreds currently in his stable and advised of the restrictions placed on him in accordance with AR267.

He was advised of his right of appeal to the TRNT Appeals Tribunal.

Australian Rules referred to in this report.

Division 3 – Conduct detrimental to the interests of racing

AR 228 Conduct detrimental to the interests of racing

A person must not engage in:

(c) improper or insulting behaviour at any time towards a PRA, the Stewards, a Club, or any official, employee, contractor or agent of any of them in relation to the relevant person's functions, powers or duties;

AR 267 Prohibitions on conduct of trainers during suspension

Unless otherwise authorised by the PRA or the Stewards in whose territory a suspension was imposed on a trainer (and upon such conditions as the PRA or the Stewards may in their discretion impose), a suspended trainer must not, during the period of that suspension:

- (a) as a trainer or permit holder, nominate a horse for a race, official trial or jump-out;
- (b) train, or participate in any way in the training or preparation for racing of, a horse (including without limitation the giving of instructions);
- (c) be registered as a stablehand;
- (d) be employed by, or otherwise engaged to provide any service in any capacity to, any thoroughbred racing stable; or
- (e) enter the mounting yard, scales area or horse stall area at a racecourse, save that a suspended trainer may enter such an area if he or she is the owner of a horse in that area.