

TRNT Stewards Report – Monday 18th March, 2024

Panel: D Hensler (Chairman of Stewards), R Hamilton & P Carrol (Senior Stewards)

At the race meeting at the Darwin Turf Club on Saturday 3 February, 2024 the TRNT Stewards released the following report:

*Whilst conducting routine examinations of each runner upon arrival on course the Stewards identified that ENVENOMATE trained by D Leech had a swollen haematoma on the near side jugular vein. Veterinarian Dr J Farebrother examined the site of the haematoma and reported that in his opinion, an injection had been administered within the previous 24 hours. Acting under the provisions of AR254(2) the Stewards withdrew the gelding from competing in its engagement in Race 2. Stewards collected blood and urine samples from the gelding. An inquiry was opened into this matter and after taking initial evidence and statements, the matter was adjourned pending the results of the collected samples.*

The blood and urine samples collected from ENVENOMATE have been analysed by Australian Racing Forensic Laboratory (ARFL) and no prohibited substances were detected.

The TRNT Stewards continued this inquiry on Thursday 7<sup>th</sup> and Friday 15<sup>th</sup> March 2024 and considered evidence from Mr Leech, foreperson K Byrnes, veterinarians Dr J Farebrother, Dr A Vermeulen and RWWA Head of Veterinary Services Dr J Medd. A full review of the surveillance CCTV had been undertaken to confirm the movement of relevant persons at the DTC stable complex on race morning.

Mr Leech was subsequently found guilty of a breach of AR254(1)(a)(i) with the specifics being:

1. He is a trainer licensed by TRNT and a person bound by the Rules of Racing
2. He was at all relevant times, the trainer of the gelding ENVENOMATE
3. On Saturday 3 February, 2024 the gelding was engaged to run in race 2, the Chinese New Year BM76 Handicap over 1300m on the Darwin Turf Club programme
4. On the day of, and prior to the race, at some time between 7.05am and 1.15pm he injected the gelding without the permission of the Stewards

He further pleaded guilty to a further charge under AR104(1) with the specifics being that he did fail to record in the stable treatment diary that animal remedy products were administered by way of injection to ENVENOMATE on Wednesday 31 January, 2024. For this breach, a fine of \$500 was imposed.

In consideration of a penalty for the breach of AR254, Stewards took into account the following factors:

- The serious nature of the charge
- The negative impact this type of conduct has on the image, interests and integrity of racing in the Northern Territory
- ENVENOMATE was scratched and no prohibited substance were detected in the gelding's samples
- Mr Leech has had a long involvement in the racing industry
- His personal circumstances and previous disciplinary record
- Penalties issued previously in other jurisdictions for the same rule breach
- The penalty must serve as a general and specific deterrent

Mr Leech was disqualified for a period of 12 months. He was informed of his rights of appeal to the NT Racing Appeals Tribunal.

Mr Leech was advised that the Stewards would defer the commencement of the period of disqualification for (7) clear days in accordance with AR283(7) to allow him to make appropriate arrangements. Thoroughbreds currently under his care can continue to be trained during this deferment period but cannot start in a race.

Australian Rules of Racing referred to in this report:

***AR 254 Injections prohibited at certain times***

*(1) A person must not, without the permission of the Stewards:*

- (a) inject;*
- (b) cause to be injected;*
- (c) attempt to inject; or*
- (d) be a party to the injection or attempted injection of, a horse engaged to run in any race:*

*(i) at any time on the day of the scheduled race and prior to the start of that race; and/or*

*(ii) at any time during the 1 clear day prior to 12.00am on the day of the scheduled race.*

*(2) If a person breaches subrule (1), or the Stewards reasonably suspect that such a breach has been committed, they may order the scratching of the horse from the relevant race.*

*(3) If a person breaches subrule (1), but the horse competes in the race, the horse may be disqualified from the race.*

*(4) For the purposes of this rule:*

- (a) "inject" includes, but is not limited to, the insertion of a hypodermic needle into a horse;*
- (b) it is not necessary to establish whether any substance was injected, or the nature of any substance injected.*

**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.*

**AR 283 Penalties**

*(1) Subject to subrule (3), a person or body authorised by the Rules to penalise any person may, unless the contrary is provided, impose:*

- (a) a disqualification;*
- (b) a suspension;*
- (c) a reprimand; or*
- (d) a fine not exceeding \$100,000.*

*(7) A person or body authorised by these Australian Rules to suspend or disqualify any trainer may defer the commencement of the period of suspension or disqualification for no more than 7 clear days following the day the suspension or disqualification was imposed, and upon terms and conditions considered fit.*