

STEWARDS DECISION

OFFICE OF RACING INTEGRITY

and

Mr ADAM TRINDER

Date of hearing: 7th December 2023

Stewards Panel: Bruce Free (Chair); Roger Brown and Michael Castillo.

Present: Mr Adam Trinder (Respondent)

Rule: Rule 240(2)

Subject to AR240(3), when any horse that has been brought to a racecourse for the purpose of engaging 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 such horse at any relevant time breaches these Australian Rules

Charge: The particulars of charge being that on Sunday 6th August 2023, Mr Adam Trinder, being the registered trainer of DRINKS AT VISTA, which was brought to the Devonport Racing Club meeting for the purpose of participating in race four, the Jockey Celebration Day Class 1 HCP, did present the mare to race when not free of a prohibited substance, namely *Ritalinic Acid*.

Plea: Admitted

1. Background

- (a) The Respondent, Mr Trinder is a licensed thoroughbred trainer based at Latrobe, Tasmania.
- (b) On Sunday 6th August 2023 Trinder presented DRINKS AT VISTA for Race 4 at a meeting of the Devonport Racing Club.
- (c) DRINKS AT VISTA was subject to a post-race urine sample following it winning race 4.
- (d) The sample obtained and given the unique number V797425.
- (e) On Friday 15th September 2023 Racing Analytical Services Ltd advised that sample number V797425 had returned an adverse result to the prohibited substance *Ritalinic Acid*
- (f) On Thursday 19th October 2023, the Australian Racing Forensic Laboratory of *Ritalinic Acid* in sample V797425.

2. Respondents Submissions

- 2.1 When addressing the panel Mr Trinder stated he had not been able to identify the cause of the irregularity, however since being advised he has taken steps to improve his stable security and taken other measures to mitigate the risks of any further irregularities.
- 2.2 Additionally, Mr Trinder stated that he would like the Stewards Panel to recognise that he produces a significant number of runners annually with many of these being subjected to race day sampling, with these all producing clear results.

3. Penalty Considerations

- 3.1 Turning to the matter of penalty the Stewards are cognisant of the following Sentencing Principles –
 - (i) That penalties are designed to punish the offender for his/her wrongdoing. They are not meant to be retributive in the sense that the punishment is disproportionate to the offence, but the offender must be met with a punishment.
 - (ii) That in a racing context it is very important that a penalty has the effect of deterring others from committing similar offences through the consideration of both general and specific deterrence.
 - (iii) That penalties imposed upon those offending the prohibited substance rules should reflect the industry's disapproval of drugs being detected in racehorses.
 - (iv) The need for penalties which are imposed to be consistent with national precedents.

4. Penalty Discussion

4.1 In determining penalty Stewards considered the following:

- The nature, circumstances, and seriousness of the offence
- Mr Trinder's personal circumstances
- Mr Trinder's disciplinary history (one prior offence in 2012)
- Mr Trinder's admission of the charge.
- The number of starters produced.
- The need for the penalty to act as both a specific deterrent to Mr Trinder to reduce the risk of further offending and as a general deterrent to the wider racing industry
- The national penalty precedents for similar offences.

5. Outcome

5.1 Having considered all circumstances, Stewards issued Mr Trinder with a \$6,000 fine, with \$2,000 wholly suspended for two years that he not re-offend under this rule for his guilty plea. This being to hold Mr Trinder accountable for his actions and to others from committing the same or similar offences.

6. Disqualification Of Horse

6.1 It is mandatory that if a horse competes in a race and is found to have competed with a prohibited substance in its system that it must be disqualified from that race – AR 240 (1). Accordingly, DRINKS AT VISTA will be disqualified from Race 4 at the Devonport Racing Club Meeting on the 6th of August 2023.

The placings are to be adjusted to reflect the disqualification of DRINKS AT VISTA which finished 1st.

- 5. DUTCH ACTION – J Blacker
- 10. TRICKY MIKKI – T Hanson
- 4. BETTER THAN BANKSY – G White
- 8. DOMINATOR'S GIRL – S Shaw

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