

Tasracing Integrity Unit

Prospect Government Offices, 171 Westbury Road, PROSPECT TAS 7250 - PO Box 1329 LAUNCESTON TAS 7250

Telephone: (03) 6777 1900 Email: stewards@tasracingintegrity.com.au

STEWARDS DECISION

TASRACING INTEGRITY UNIT

and

MR NATHAN FORD

Date of hearing:	Friday 18 th April 2024
Stewards Panel:	Neil Finnigan (Chair); Heidi Lester; Roger Brown; Brittany Hine
Present:	Mr Nathan Ford
Rule:	Australian Harness Racing Rule 250(1)(a)
Charge:	Mr Nathan Ford, you did present to drive in eight (8) races at the Launceston Pacing Club meeting on Sunday 23 rd March 2025, when a urine sample you provided, upon analysis is found to contain the prohibited substances <i>Benzoylecgonine</i> (metabolite of cocaine).
Plea:	Not Guilty
Penalty:	Twelve (12) month suspension of drivers licence.

1. Background

- (a) The Respondent, Mr Ford is a licensed harness person based at Brighton, Tasmania.
- (b) Mr Ford was a Grade 'B' licenced Harness Racing Driver on the 23rd March 2025.
- (c) Mr Ford was engaged to drive in eight (8) races on the 23rd March 2025, at the Launceston Pacing Club.
- (d) Mr Ford was subjected to a routine random urine test.
- (e) On Tuesday 8th April 2025, Racing Analytical Services Limited (RASL) notified the Tasracing Integrity Unit, reporting that *Benzoylecgonine* (metabolite of cocaine) had been detected in sample 303190 with the accompanying certificate of analysis numbered RS25/04205-B.
- (f) On 14th April 2025, RASL advised the presence of *Benzoylecgonine* (metabolite of cocaine) had been confirmed in the reserve portion of sample 303190.
- (g) On the 14th April 2025 Mr Ford was advised of the findings through letter correspondence from the Tasracing Integrity Unit.
- (h) On Friday, 18th April 2025, Mr Nathan Ford is formally charged with a breach of Australian Harness Racing Rule 250(1)(a), with the particulars being that he did present to drive in eight (8) races at the Launceston Pacing Club meeting on Sunday 23rd March 2025 when not free of prohibited substances, namely *Benzoylecgonine* (metabolite of cocaine).
- (i) On Friday, 18th April 2025, Mr Ford pleaded not guilty to the charge.
- (j) On Friday, 18th April 2025, stewards found Mr Ford guilty as charged.

2. Penalty Approach

- 2.1 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) In a harness 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) Penalties imposed upon those offending the substance abuse rules should reflect the industry's disapproval of these substances being detected in those performing duties which put at risk, both the health and wellbeing of other licence holders and standardbreds
- (iv) In determining what, if any penalty, that is to be imposed, the Stewards endeavour to reach a proportionate balance between: the public interest; the interests of the offender; the interests of the industry as a whole; the seriousness of the offending; and any aggravating/mitigating factors.

3. Respondents Penalty Submissions

- 3.1 Mr Ford submitted that on the day of sampling he had been handed a small package, with some of its contents spilling onto his hand, at the time not knowing what the substance was.
- 3.2 Mr Ford submitted that on learning what the substance was, he returned the package to its supplier.
- 3.3 Mr Ford claimed that had he known the substance was in his system, he would not have willingly drove that night.

4. Penalty Discussion:

- 4.1 In approaching the matter of penalty, if any, to be imposed, the Panel have reflected on previous penalties imposed for breaches of substance abuse rules. These being both Tasmanian and Interstate decisions.
- 4.2 The Panel have also taken into account Mr Ford's previous breaches of similar rules.
- 4.3 The Panel are guided by penalties imposed for breaches of the substance abuse rules. Penalties for these breaches have historically had a starting point for consideration of six (6) months, and include the substance abuse of cannabis, methamphetamine, as well as cocaine, however, are also mindful of the analytical findings on this occasion.
- 4.4 The Panel are also mindful of the approach of the newly formed Tasracing Integrity Unit, that being zero tolerance to offenders.

5. Factors in Mitigation

5.1 In determining the appropriate penalty, the Stewards recognise the following factors in mitigation, and which are relevant to penalty discussions. These being :-

- (a) Mr Ford has been fully cooperative throughout the TIU investigation.
- (b) Mr Ford's admission of handling the substance.
- (c) Mr Ford's previous record regarding illicit substances.

6. Outcome

6.1 Having regards to all circumstances the Stewards make the following orders;-

- (a) Mr Ford to have his drivers licence suspended for twelve (12) months.
- (b) Mr Ford's penalty to be back dated to the 8th April 2025, the day he was stood down from driving after the initial analysis of his sample was received.

Decision Date: 18th April 2025