

STEWARDS INQUIRY DECISION

- Date of Decision:** Friday, 23 August 2019
- Stewards Panel:** Racing Integrity Stewards S Shinn (Chairman), B Plunkett, J Gleeson
- Name:** Mr Christian Salter
- Date:** 18 August, 2019
- Rule no:** AHRR 250A(1)(a)
- Charge:** AHRR 250(1) which reads *“A person carrying on or purporting to carry on an activity regulated by licence at any time or carrying on an official duty at a meeting commits an offence if:*
- (a) A sample taken from him is found upon analysis to contain a substance banned by Rule 250A.*
- Inquiry Decision:** Suspension of Mr Salter’s licences for 3 months. Fined \$2000 with \$1000 suspended for 2 years
- FACTS:** A urine sample taken from Mr Salter at the Launceston Pacing Club race meeting on June 2, 2019 returned positive to amphetamine and methamphetamine which are banned substances under the provisions of AHRR 251(d). At that race meeting Mr Salter was the trainer of BURNINGUPTHEFLOOR which was presented to race at the meeting.
- INQUIRY:** At Tasmanian Trotting Club Hobart on August 18, 2019 Office of Racing Integrity (ORI) Stewards conducted an inquiry into the circumstances surrounding the urine samples taken from Mr Salter on June 2, 2019 at Launceston Pacing Club testing positive to banned substances amphetamine and methamphetamine when Mr Salter as its licensed trainer presented BURNINGUPTHEFLOOR to race on that date.
- Mr Salter took no issue with the results of his urine test however he put to the Stewards that although he was the trainer of BURNINGUPTHEFLOOR which was racing on the night that he submitted the urine sample in question he was not conducting activities which were covered by his licence in that he had taken steps to remove the responsibility from himself by employing licensed stablehand Ms Melanie Szczypka to do all hands on preparation of BURNINGUPTHEFLOOR. When questioned Ms Szczypka confirmed to the Stewards that Mr Salter had indeed employed her to take care of and prepare the horse however, she acknowledged that she was not formally authorised to represent Mr Salter on the night as no notification had been submitted to the Stewards as required by AHRR 90A(2.10).
- Mr Salter confirmed to the Stewards that he had transported BURNINGUPTHEFLOOR from his training establishment to the races and that the horse’s arrival on course had been recorded by a LPC official to whom Mr Salter had indicated that he was on course.
- When questioned Mr Mark Yole, the driver of BURNINGUPTHEFLOOR, gave evidence that Mr Salter had given him driving instructions, albeit minimal, on the night.
- Having considered the evidence Stewards issued Mr Salter with a charge under the provisions of AHRR 250(A)(1)(a) which reads *“A person carrying on or purporting to*

carry on an activity regulated by licence at any time or carrying on an official duty at a meeting commits an offence if:

(b) A sample taken from him is found upon analysis to contain a substance banned by Rule 250A.

The details of the charge were that a urine sample taken from Mr Salter whilst conducting activities regulated by his trainer's licence, he being the trainer of BURNINGUPTHEFLOOR which raced at Launceston on June 2, 2019 had returned positive to amphetamine and methamphetamine, both being banned substances under AHRR 251(d). Mr Salter pleaded guilty to the charge at which stage Stewards adjourned the inquiry sine die to consider penalty.

DECISION:

The inquiry resumed on August 23, 2019 at Tasmanian Trotting Club, Hobart at which stage Stewards delivered Mr Salter the following penalty:

Penalty Decision:

1. Suspended of Mr Salter's licences for 3 months. The suspension of his driver's licence to include trials.
2. Fined \$2000 with \$1000 suspended for 2 years should Mr Salter not reoffend in a prohibited substance matter.
3. Under the provisions of AHRR 250(4) Mr Salter must deliver a sample free of any prohibited substance, as directed by the Stewards, before being eligible to resume licensed activities.

In determining the penalty Stewards took into consideration Mr Salter's guilty plea, his cooperation during the inquiry as well as licence offence record and his personal circumstances. Stewards also placed some weight in mitigation that Mr Salter had made an effort to distance himself on the night from the hands on preparation of BURNINGUPTHEFLOOR so as to minimize any danger to horses or drivers due to his drug use.

Mr Salter was advised of his rights of appeal.

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