

STEWARDS INQUIRY DECISION

Date of Decision: 19 February 2020
Stewards Panel: Racing Integrity Stewards Panel - S Quill (Chairman).
Name: Mr Scott Brunton
Date: 20 November 2019
Rule no: AR240(2)

Inquiry Decision: Mr Brunton was fined \$7000

FACTS:

Arsenic in excess of the prescribed threshold had been detected in the urine sample taken from 'Jeremiah' following it competing in and winning **RACE 5 – CUB CLASS 3 HANDICAP** at the Tasmanian Turf Club on 20th November 2019.

INQUIRY:

On the 19th February 2020, Office of Racing Integrity Stewards inquired into reports from the analyst that, Arsenic in excess of the prescribed threshold had been detected in the urine sample taken from 'Jeremiah' following it competing in and winning **RACE 5 – CUB CLASS 3 HANDICAP** at the Tasmanian Turf Club on 20th November 2019.

Stewards considered evidence tendered by trainer Mr Scott Brunton, Racing Analytical Services Limited and Regulatory Veterinarian Dr Adam Richardson.

Mr Brunton subsequently pleaded guilty to a charge pursuant to Australian Racing Rule (AR) 240(2), which states:

Subject to subrule (3), if a horse is brought to a racecourse for the purpose of participating 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 the horse at any relevant time breaches these Australian Rules.

The particulars of the charge were that Mr Scott Brunton, as the trainer of JEREMIAH did present that gelding to race at the Tasmanian Turf Club meeting on 20 November 2019, when a urine sample taken from JEREMIAH following it running and finishing first in Race 5 the CUB CLASS 3 HCP (1400 metres) upon analysis was found to contain Arsenic at a level above the permitted threshold as stated under the Australian Rules Of Racing Prohibited List B..

DECISION:

In assessing penalty, Stewards considered Mr Brunton's guilty plea, his honesty and forthright evidence, his record regarding prohibited substances, that the ingestion of CCA treated timber by Jeremiah was the most likely cause of an elevated Arsenic level, the provisions Mr Brunton had taken to mitigate the risk of horses ingesting CCA treated timber at his property, penalty precedents, the

serious nature of prohibited substance offences, and that the onus is on a trainer to present horses free of prohibited substances and that any penalty must act as a deterrent.

Mr Brunton was subsequently fined \$7000

Acting under the provisions of AR 240(1), 'Jeremiah' was disqualified from the race and placings will be amended accordingly.

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