

STEWARDS INQUIRY DECISION

Date of Decision:	21 October 2020
Stewards Panel:	S Quill (Chairman), B Plunkett, S Barr
Name:	Leanne Gaffney
Track/Race:	Devonport / Race 8 BM60 HCP
Date:	26 July 2020
Rule no:	AR.240.(2)
Charge(s):	Present horse to race with prohibited substance
Prohibited Substance:	Arsenic
Inquiry Decision:	Fine \$2500

FACTS:

A post-race urine sample taken from Tessie following it finishing first in Race 8 at the Devonport Racing Club on 26 July 2020 upon analysis was found to contain Arsenic above the permitted threshold.

INQUIRY:

Stewards inquired into the presence of Arsenic in a post-race urine sample taken from Tessie.

A certificate was firstly issued by Racing Analytical Services Limited (RASL) and was subsequently confirmed by Racing Chemistry Laboratory. Timber samples taken from Mrs Gaffney's yards were also analysed and found to contain Arsenic. Stewards considered evidence tendered by trainer Leanne Gaffney regarding the instillation of her yards in October 2019 via a contractor supplied by Tasracing, Stewards also considered evidence tendered by RASL representative Paul Zahra and Office of Racing Integrity regulatory veterinarian Dr Adam Richardson.

Additionally, Stewards considered evidence obtained from a stable inspection conducted at Mrs Gaffney's stable on Friday the 21 August, 2020.

Subsequently trainer Leanne Gaffney pleaded guilty to a charge under AR240(2) in that she presented Tessie to the Devonport Racing Club meeting on the 26 July 2020 for the purposes of participating in Race 8, BM60 HCP 1150m, where a post-race urine sample taken from the mare upon analysis was found to contain Arsenic at a level above the permitted threshold.

DECISION:

In determination of penalty, stewards took into account the following considerations:

- Her guilty plea
- Forthright evidence and honesty throughout the inquiry
- Her record
- The onus lies with the trainer to present horses free of prohibited substances
- The lack of inquiry made by Mrs Gaffney regarding the materials used to build yards
- A number of notices regarding CCA treated timber have been published.
- The most likely cause of Arsenic being present in the sample was through the ingestion of treated timber
- Offences of a similar nature

Subsequently Leanne Gaffney was fined \$2500

Acting under the provisions of AR240(1), Tessie was disqualified from its first placing in Race 8 at the Devonport Racing Club 26 July 2020 and the placings will be amended accordingly. Mrs Gaffney was advised of her rights of appeal.