

BAVERSTOCK INQUIRY

FEBRUARY 6, 2019

HARNESS Racing New South Wales (HRNSW) Stewards conducted an inquiry on Monday February 4, 2019, in relation to a report from the Australian Racing Forensic Laboratory (ARFL) that cocaine was detected in the urine sample taken from MY WHISKEY LULLABY NZ following its win in Race 5, the NAVAL ASSOCIATION OF AUSTRALIA PACE (2125m) at Penrith on Thursday October 18, 2018.

The 'B' sample was confirmed by Racing Analytical Services Limited (RASL) in Victoria.

Licensed trainer Mr Richard Baverstock and stablehand Mr Adam Baverstock appeared at the inquiry.

Evidence including the Reports of Analysis were presented and HRNSW Regulatory Veterinarian Dr Martin Wainscott also presented evidence to the inquiry.

HRNSW Stewards issued the following charge against Mr Richard Baverstock pursuant to Australian Harness Racing Rule (AHRR) 190 (1), (2), (3) & (4) as follows:

AHRR 190. (1) *A horse shall be presented for a race free of prohibited substances.*

(2) If a horse is presented for a race otherwise than in accordance with sub rule (1) the trainer of the horse is guilty of an offence.

(3) If a person is left in charge of a horse and the horse is presented for a race otherwise than in accordance with sub rule (1), the trainer of the horse and the person left in charge is each guilty of an offence.

(4) An offence under sub rule (2) or sub rule (3) is committed regardless of the circumstances in which the prohibited substance came to be present in or on the horse.

Mr Richard Baverstock was found guilty and disqualified for a period of two years and six months commencing from December 21, 2018, the date upon which he was stood down.

In considering penalty Stewards were mindful of the following:

- Mr Richard Baverstock's involvement in the harness racing industry, his licence history and offence record;
- Class 1 Prohibited Substance;
- The seriousness of the offence;
- No previous prohibited substance matters;
- Mr Richard Baverstock's personal subjective facts;
- Mr Richard Baverstock's not guilty plea.

Acting under the provisions of AHRR 195, MY WHISKEY LULLABY NZ was disqualified from the abovementioned race.

Mr Richard Baverstock was advised of his right to appeal.

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For further information on this matter contact:
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HRNSW Stewards issued a charge against Mr Adam Baverstock pursuant to AHRR 190(1), (3) & (4) in relation to the results of the urine sample obtained from MY WHISKEY LULLABY NZ.

Mr Adam Baverstock was found guilty and disqualified for three years nine months to commence from January 22, 2019, the date upon which he was stood down.

In considering that penalty, Stewards were mindful of the following:

- Mr Adam Baverstock's involvement in the harness racing industry, his licence history and offence record;
- Class 1 Prohibited Substance;
- The seriousness of the offence;
- No previous prohibited substance matters;
- Mr Adam Baverstock's personal subjective facts;
- Mr Adam Baverstock's not guilty plea.

In addition, HRNSW Stewards issued a charge against Mr Adam Baverstock pursuant to Australian Harness Racing Rule 250A(1)(a) as follows:

250A. (1) *A person carrying on or purporting to carry on an activity regulated by licence at any time or carrying on official duties at a meeting commits an offence if:*

(a) a sample taken from him or her is found upon analysis to contain a substance banned by Rule 251A.

That charge related to a urine sample taken from Mr Adam Baverstock on Monday December 17, 2018. A report from Racing Analytical Services Limited (RASL) certified the presence of the cocaine metabolites Ecgonine Methylester and Benzoylcegonine.

The 'B' sample was confirmed by the ChemCentre in Western Australia.

In relation to that charge, Mr Adam Baverstock was suspended for a period of six months to commence from January 22, 2019, the date upon which he was stood down.

In considering that penalty, Stewards were mindful of the following:

- Mr Adam Baverstock's involvement in the harness racing industry, his licence history and offence record;
- The seriousness of the offence;
- The prohibited substances involved;
- No previous prohibited substance matters;
- Mr Adam Baverstock's personal subjective facts;
- Mr Adam Baverstock's not guilty plea.

The Stewards ordered that the penalties imposed upon Mr Adam Baverstock are to be served concurrently.

Mr Adam Baverstock was advised of his right to appeal.

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