

MR RAY TURNER INQUIRY

JUNE 24, 2019

ON Thursday 20 June 2019, Harness Racing New South Wales (HRNSW) Stewards conducted an Inquiry in relation to a report from the Australian Government National Measurement Institute (NMI) that Cobalt above the threshold of 100 micrograms per litre in urine had been detected in the urine sample taken from:

- PARK RUN following its win in race 2, the MILBRAE QUARRIES HEAT 2 (2170 metres) conducted at Junee on Saturday 19 January 2019.

Mr Turner appeared at the Inquiry and presented evidence in relation to the horse PARK RUN, his husbandry practices and registered training establishment.

Evidence including the Reports of Analysis was presented to the Inquiry. HRNSW Regulatory Veterinarian Dr Martin Wainscott also presented evidence to the Inquiry.

The results of analysis conducted on feed samples obtained from Mr Turner's training establishment were also presented to the Inquiry.

In consideration of the evidence, HRNSW Stewards proceeded on the basis of a prima facie case against Mr Turner due to the Certificate of Analysis issued by the Chemcentre.

HRNSW Stewards allowed for a 10% measurement of uncertainty to be applied to the Cobalt level of 110 micrograms per litre in urine that was reported by the Chemcentre. Consequently, HRNSW Stewards proceeded on the basis that the Cobalt level reported by the Chemcentre was 99 micrograms per litre in urine and below the threshold prescribed by the Australian Harness Racing Rules.

HRNSW Stewards issued a charge against Mr Turner pursuant to Australian Harness Racing Rule (AHRR) 190 (1), (2) & (4) as follows:

AHRR190. (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.

(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 Turner pleaded guilty and was disqualified for a period of 2 years and 9 months to commence from 20 June 2019.

In considering penalty Stewards were mindful of the following:

- Mr Turner's involvement in the harness racing industry as a licensed person, committee person and volunteer;
- Mr Turner's licence history and offence record over 47 years;
- Mr Turner's fourth prohibited substance offence, of which one previous offence had resulted in no penalty being issued;
- Class 1 Prohibited Substance;
- Mr Turner's personal subjective facts;
- Mr Turner's guilty plea.

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For further information on this matter contact:
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Acting under the provisions of AHRR 195, PARK RUN was disqualified from the abovementioned race.

In addition, pursuant to AHRR 195A, PARK RUN was disqualified from Race 2, the MILBRAE QUARRIES FINAL (2170 metres) conducted at Junee on Sunday 27 January 2019.

AHRR 195A states the following:

AHRR 195A. (1) This Rule is to apply to any race or series of races which the Controlling Body stipulates in the Conditions of Entry that it shall apply to; such a race or races being a qualifying race for some other race.

(2) If in relation to a race to which this rule applies a blood, urine, saliva or other sample or specimen is taken from a horse when it is presented for such race and a certificate from a person or drug testing laboratory approved by the Controlling Body certifies the presence of a prohibited substance in such specimen or sample then the horse shall be immediately disqualified from participating in any other race for which the race in question provides or provided a qualification for participation.

(3) This rule is to have effect and to be conclusive irrespective of whether further testing procedures or other circumstances establish that the horse was presented for the race free of any prohibited substances.

Mr Turner was advised of his right to appeal these decisions.

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