

# Stewards' Report

## Stewards Report: Brett Cargill – Montana Express

Date: 11 November 2019

Panel: D. Farquharson, L Wilson & N Torpey

Queensland Racing Integrity Commission (QRIC) Stewards today concluded an inquiry into reports from the QRIC Racing Science Centre (RSC) and the Racing Analytical Services Limited (RASL) that the prohibited substance “Arsenic” above the prescribed threshold as defined in Australian Harness Racing (AHR) rule 188A(2)(b) had been detected in a sample taken from the Brett Cargill trained horse Montana Express following its win in race 4 at Redcliffe on 18 July 2019.

Stewards commenced inquiries on 21 October 2019 and on 23 October 2019 Mr Cargill was issued with a charge pursuant to rule 190(1) of the Australian Harness Racing (AHR) rule, via written correspondence as follows:

AHR rule 190 (1)

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

The particulars of charge being that:

*Licensed trainer Brett Cargill, as the trainer of Montana Express, did present that horse to race at Redcliffe on 18 July 2019 when a post-race urine sample taken from that horse, upon analysis, was found to contain a prohibited substance, namely Arsenic above the prescribed threshold as defined in AHR rule 188A(2)(b).*

On 5 November 2019, Mr Cargill pleaded guilty to the charge and made submissions relating to the positive finding.

In assessing penalty Stewards considered the following:

- AHR 190 (1) is a strict liability rule with the onus on the trainer to present a horse drug free for racing,
- Notifications have been communicated to the racing industry regarding the substance “Arsenic” and for trainers to be vigilant and ensure stable environments are free of contaminants,
- The offence file of Brett Cargill and his good record under this rule,
- Penalty precedents for matters of this type,
- The need for any penalty to serve as a deterrent both general and specific.

Stewards imposed a fine of \$2000.

Acting under the provision of AHR rule 195, Montana Express was disqualified from its winning performance in race 4 at Redcliffe on 18 July 2019 and Stewards directed all placegetters to be amended accordingly.

The bar placed on Montana Express prohibiting the horse from racing pending completion of the inquiry was lifted.

Mr Cargill was advised of his right to an internal review.