

Stewards' Report

Stewards Report: Ricky Gordon

Date: 5 November 2020

Panel: D Farquharson, N. Torpey

Queensland Racing Integrity Commission (QRIC) Stewards today concluded an inquiry into the analysts finding regarding the elevated Total Carbon Dioxide concentration (TCO₂) level found in the pre-race blood sample taken from Risky Buziness prior to the horse competing at Redcliffe on 23 August 2020.

Stewards concluded an inquiry into the analysts finding which detected a prohibited substance, namely TCO₂ above the prescribed threshold in a pre-race sample taken from Risky Buziness prior to the horse being presented to race at Redcliffe on 27 August 2020. Ricky Gordon trained Risky Buziness for both events.

The Racing Science Centre analysis of the 23 August sample indicated an elevated level of TCO₂ recording a reading of 36.5 M/mol and confirmatory analysis of the reserve portion of the sample conducted by the Australian Racing Forensic Laboratory also indicated an elevated TCO₂ reading.

The Racing Science Centre analysis of the 27 August sample indicated a level of TCO₂ above the prescribed threshold recording a reading of 37.3 M/mol and confirmatory analysis of the reserve portion of the sample conducted by Racing Analytical Services also indicated an elevated TCO₂ reading.

On 26 October 2020, trainer Ricky Gordon was issued with the following charges pursuant to Australian Harness Racing Rules

Charge 1 (AHR) rule 196(1)(b) which reads:

196C. (1) A person must not administer an alkalinising agent in any manner to a horse which is engaged to run in a race:

(b) at any time within one (1) clear day of the commencement of the race.

(5) For the purposes of this Rule:-

one clear day means the twenty four (24) hour period from 12.01 a.m. to 12 midnight.

The specifics of the charge being:

That Ricky Gordon did administer or allow or caused to be administered an alkalinising agent to Risky Buziness on 23 August 2020 prior to it running in race 8 at Redcliffe on that day.

Charge 2 AHR rule 190(1) which reads:

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

The specifics of the charge being:

That Ricky Gordon did present Risky Buziness to race on 27 August 2020 when not free of prohibited substances, namely TC02 above the threshold as prescribed in AHR rule 188A(2)(a).

Mr Gordon pleaded not guilty to both charges and on 28 October 2020 provided submissions to the panel defending the charges.

Stewards today considered the evidence in its entirety, including Mr Gordon's submissions.

Stewards determined that, both charges had been on the balance of probabilities established to reasonable satisfaction and found Mr Gordon guilty as charged.

In determining the matter of guilt, Stewards determined the only credible explanation for the elevated TC02 level detected in the sample taken from Risky Buziness on 23 August was as a result of the administration of an alkalinising agent on race day.

Stewards also determined that the only credible explanation for the presentation of Risky Buziness for racing on 27 August with a prohibited substance, namely TC02 above the prescribed threshold, was the administration of an alkalinising agent on race day

In determining penalty, Stewards considered ;:

- Mr Gordon's personal and financial situation,
- Mr Gordons previous disciplinary record,
- The circumstances of the case,
- Penalty precedents including relevant appeal decisions,
- The need for a penalty to serve as a deterrent to illustrate that race day administration of alkalising agents to elevated levels will not be tolerated and regulation by the Commission is of paramount importance to the integrity of harness racing.

Stewards issued the following penalties:

Charge 1 - a fine of \$5,000.

Charge 2 – Disqualification of licence for 6 months.

Acting under the provisions of AHR rule 196C(3), Risky Buziness was disqualified from its performance at Redcliffe on 23 August 2020 and the placings will be amended accordingly.

Acting under the provisions of AHR rule 195, Risky Buziness was disqualified from its performance at Redcliffe on 27 August 2020 and the placings will be amended accordingly.

The embargo prohibiting Risky Buziness from racing was lifted.

Mr Gordon was advised of his rights to an Internal Review.