

Stewards' Report

Stewards Report: Benjamin Currie

Date: 28 January 2021

Panel: D Aurisch

Stewards of the Queensland Racing Integrity Commission concluded an inquiry in respect of a number of outstanding charges issued against Mr Benjamin Currie as a result of an extensive investigation into Mr Currie's conduct whilst licensed as a trainer in the Queensland thoroughbred racing industry.

Stewards issued the following charges to Mr Currie subsequent to the commencement of a stewards' inquiry on 28 May 2018 (with charges 1 to 14 being finalised by the Queensland Civil and Administrative Tribunal or alternatively withdrawn by the Queensland Racing Integrity Commission):

Charge 15: Pursuant to Australian Rule of Racing 178E(1), Benjamin Currie did, without the permission of the Stewards, cause horses under his care to be administered a medication on 11 February 2017 prior to those horses racing at Toowoomba later that same day.

Australian Rule of Racing 178E(1) provides:

Notwithstanding the provisions of AR.178C(2), no person without the permission of the Stewards may administer or cause to be administered any medication to a horse on race day prior to such horse running in a race.

Charge 16: Pursuant to Australian Rule of Racing 175(a), Benjamin Currie did, without the permission of the Stewards, cause horses under his care to be administered a medication on 11 February 2017 prior to those horses racing at Toowoomba later that same day which, in the opinion of the Stewards, was an improper practice.

Australian Rule of Racing 175(a) provides:

The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise:

(a) Any person who, in their opinion, has been guilty of any dishonest, corrupt, fraudulent, improper or dishonourable action or practice in connection with racing.

Charge 17: Pursuant to Australian Rule of Racing 178AA(1), Benjamin Currie, as the trainer of JOMAR SAGA, did cause that horse to be administered an alkalinising agent within the period expressly prohibited prior to that horse competing at Dalby on 3 September 2016.

Australian Rule of Racing 178AA(1) provides:

A person must not administer an alkalinising agent, in any manner, to a horse which is engaged to run in any race, official trial or jump-out:

(a) at any time on the day of the scheduled race, official trial or jump out and prior to the start of such event; and

(b) at any time during the one Clear Day prior to 12.01am on the day of the scheduled race, official trial, or jump out.

Charge 18 to 22: Pursuant to Australian Rule of Racing 64H, Benjamin Currie, as the trainer of ISN'T SHE ELEGANT, OCCHILUPO, STELLAR KNIGHT, ISIS MAGIC, INVITTO, and DOG DAYS ARE OVER, did cause, between 15 April 2017 and 29 April 2017, those horses to be administered shockwave therapy within seven clear days of the respective horses racing between 15 April 2017 and 29 April 2017 (reduced to one (1) charge involving the five (5) abovementioned horses).

Australian Rule of Racing 64H provides:

A horse that has been subjected to any form of shockwave therapy is ineligible to participate in any race, official trial or jump-out at any time during the seven clear days (as defined in AR.1) following midnight on the day on which the shockwave therapy was administered.

Charge 23: Pursuant to Australian Rule of Racing 178AB(1), Benjamin Currie, as the trainer of CAPTAINS PICK, did cause that horse to be injected within the period expressly prohibited prior to that horse competing at Kilcoy on 22 April 2017.

Australian Rule of Racing 178AB(1) provides:

A person must not, without the permission of the Stewards, inject a horse, cause a horse to be injected or attempt to inject a horse, which is engaged to run in any race:

(a) at any time on the day of the scheduled race, prior to the start of such event; and

(b) at any time during the One Clear Day prior to 12.01am on the day of the scheduled race.

Charge 24: Pursuant to Australian Rule of Racing 178AB(1), Benjamin Currie, as the trainer of CANTBUYBETTER, did cause that horse to be injected within the period expressly prohibited prior to that horse competing at Doomben on 22 April 2017.

Australian Rule of Racing 178AB(1) provides:

A person must not, without the permission of the Stewards, inject a horse, cause a horse to be injected or attempt to inject a horse, which is engaged to run in any race:

(a) at any time on the day of the scheduled race, prior to the start of such event; and

(b) at any time during the One Clear Day prior to 12.01am on the day of the scheduled race.

Charge 25 and 27: Pursuant to Australian Rule of Racing 175(t), Benjamin Currie, on 12 April 2018 at Toowoomba hindered or obstructed the Stewards in that when questioned by the Stewards you responded you did not have your phone in your possession and later when providing your phone to the Stewards you did so after it had been factory reset (reduced to one (1) charge).

Australian Rule of Racing 175(t) provides:

The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise:

Any person who obstructs or hinders the Stewards or other official in the exercise of their powers or duties.

Charge 26: Pursuant to Australian Rule of Racing 175(g), Benjamin Currie did, on 18 April 2018 at Toowoomba, give false evidence to the Stewards when served a production notice for phones, tablets, ipads and computers Mr Currie responded that he did not have an ipad used in connection with racing.

Australian Rule of Racing 175(g) provides:

The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise:

(g) Any person who gives at any interview, investigation, inquiry, hearing and/or appeal any evidence which is false or misleading in any particular.

Charge 28: Pursuant to Australian Rule of Racing 175(t), Benjamin Currie, did on 9 May 2018 advise your licensed stablehand Silde Canda to delete messages on his mobile phone in an attempt to obstruct the Stewards in the exercise of their powers or duties.

Australian Rule of Racing 175(t) provides:

The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise:

(t) Any person who obstructs or hinders the Stewards or other official in the exercise of their powers or duties.

Charge 29: Pursuant to Australian Rule of Racing 175(q), Benjamin Currie, in the opinion of the Stewards, did on 23 May 2016 engage in an improper action in connection with racing by sending a text message to Ryan Van De Velde saying the words “*the amount of times we have cheated*”.

Australian Rule of Racing 175(q) provides:

The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise:

(q) Any person who in their opinion is guilty of any misconduct, improper conduct or unseemly behaviour.

Charge 30: Pursuant to Australian Rule of Racing 53A(2), Benjamin Currie, as the trainer of CAPTAIN LEO, failed to report to the Stewards that CAPTAIN LEO suffered a bleeding attack following Race 4 at the Sunshine Coast Turf Club on 6 May 2018 as evidenced by his text message to Ryan Van De Velde on 7 May 2018.

Australian Rule of Racing 53A(2) provides:

If a horse suffers an attack of bleeding at any time the fact of such bleeding shall be reported by the Trainer without delay to the Stewards.

Charge 31: Pursuant to Australian Rule of Racing 68A(1), Benjamin Currie, as the trainer GULLY COMMAND and GIVUS A CUDDLE, did nominate and accept with GULLY COMMAND in the Laidley Cup Open Handicap over 1600 metres at the Lockyer Race Club at Gatton on 24 March 2018 for the primary purpose of affecting the weight allocated to other horses nominated or accepted in that race.

Australian Rule of Racing 68A(1) provides:

No person shall enter or cause to be entered a horse in a race with the primary purpose of affecting the weight to be allocated to any other horse entered in such race.

Mr Currie entered a plea of guilty to the following charges:

- Charge 18 to 22 (as one charge);
- Charge 23;
- Charge 24;
- Charge 25 and 27 (as one charge);
- Charge 28;
- Charge 29; and
- Charge 30,

with the Stewards withdrawing Charge 15, 16, 17, 26 and 31.

In determining penalty in relation to the charges, the Stewards considered the following:

1. the nature, circumstances and seriousness of the offending conduct;
2. Mr Currie's disciplinary history;
3. Mr Currie's plea of guilty;
4. the respective penalty precedents for each offence; and
5. the need for each penalty to act as both a specific deterrent to Mr Currie to reduce the risk of further offending and a general deterrent to the wider racing industry for the integrity of the racing industry to remain paramount.

The Stewards, having considered the above factors, determined the appropriate penalty for each offence was as follows:

Charge 18 to 22 (as one charge): Three (3) month disqualification to commence at midnight 1 January 2021 and to expire 31 March 2021 to be served concurrently with any other disqualification being served by Mr Currie during that period

Charge 23: \$2,000.00 fine

Charge 24: \$2,000.00 fine

Charge 25 and 27 (as one charge): \$2,000.00 fine

Charge 28: \$2,000.00 fine

Charge 29: Three (3) month disqualification to commence at midnight 1 January 2021 and to expire 31 March 2021 to be served concurrently with any other disqualification being served by Mr Currie during that period

Charge 30: \$1,000.00 fine

The penalties imposed upon Mr Currie amounted to \$9,000.00 in fines together with a three (3) month disqualification to be served concurrently with a three (3) month disqualification with the disqualification period to commence at midnight 1 January 2021.
