

Stewards' Report

Stewards Report: Benjamin Currie

Date: 28 January 2021

Panel: P Chadwick, P Zimmermann

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 15 February 2019:

Charge 1: Pursuant to Australian Rule of Racing 53A(6), Benjamin Currie, as the trainer of ROCK SPARK, failed to report to the Stewards that ROCK SPARK had bled from one nostril following Race 3 at the Lockyer Valley Turf Club on 6 April 2017.

Australian Rule of Racing 53A(6) provides:

If a horse displays blood at one nostril, the trainer shall without delay report such occurrence to the Stewards.

Charge 2: Pursuant to Australian Rule of Racing 175(a), Benjamin Currie, as the trainer of ROCK SPARK, permitted ROCK SPARK to be advertised for sale stating "*It is currently in full work and is sound, and did have a small bleed in September last year but had raced 4 times since and not had any problems*" and making this statement was, in the opinion of the Stewards, was a dishonest action in that Mr Currie failed to disclose to potential purchasers that ROCK SPARK had bled at Gatton on 6 April 2017.

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 3: Pursuant to Australian Rule of Racing 175(a), Benjamin Currie, as the trainer of CORDON ROUGE, engaged in an improper action in connection with racing between 1 February 2016 and 31 July 2016 in that you sent text messages in regards to you having subjected CORDON ROUGE to an electronic apparatus capable of affecting its performance.

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 4: Pursuant to Australian Rule of Racing 175(a), Benjamin Currie engaged in an improper action in connection with racing between 1 March 2016 and 7 March 2016 in that you sent text messages in regards to you having subjected an unknown horse to an electronic apparatus capable of affecting its performance.

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 5: Pursuant to Australian Rule of Racing 178E(1), Benjamin Currie, as the trainer of HONEY TOAST, did cause that horse to be administered a medication, being Boost Paste, on race day prior to the gelding competing at the Sunshine Coast Turf Club on 31 January 2016 and without the permission of the Stewards.

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 6: Pursuant to Australian Rule of Racing 64H, Benjamin Currie, as the trainer of DOG DAYS ARE OVER, did cause that horse to be administered shockwave therapy within seven (7) clear days of the gelding competing at the Sunshine Coast Turf Club on 16 April 2017.

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 7: Pursuant to Australian Rule of Racing 53A(6), Benjamin Currie, as the trainer of DEEP DOWN, failed to report to the Stewards that DEEP DOWN had bled from one nostril on 31 May 2016.

Australian Rule of Racing 53A(6) provides:

If a horse displays blood at one nostril, the trainer shall without delay report such occurrence to the Stewards.

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

- Charge 1;
- Charge 5;
- Charge 6; and
- Charge 7,

with the Stewards withdrawing Charge 2 and the Stewards holding Charge 3 and Charge 4 in abeyance pending the outcome of Queensland Racing Integrity Commission's appeal against the decision in *Currie v Queensland Racing Integrity Commission* [2020] QCAT 310.

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. with respect to charge 5, that the substance that was administered was not a prohibited substance;
5. the respective penalty precedents for each offence; and
6. 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 1: \$1,000.00 fine

Charge 5: Five (5) month disqualification to commence at midnight 1 January 2021 and to expire 31 May 2021 to be served concurrently with any other disqualification being served by Mr Currie during that period

Charge 6: 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 7: \$1,000.00 fine

The penalties imposed upon Mr Currie amounted to \$2,000.00 in fines together with a three (3) month disqualification to be served concurrently with a five (5) month disqualification with the disqualification period to commence at midnight 1 January 2021.
