

# Stewards' Report

## Stewards' Report – Harness Trainer – Darrel Graham

Date – 28 April 2021

### Panel – D. Farquharson, L Wilson and N Torpey

Queensland Racing Integrity Commission Stewards today concluded an inquiry into the analysts finding of the prohibited substance *Epitrenbolone* in samples taken from DRIVE THE DREAM NZ on 17 December 2018, 2 January 2019, and 23 January 2019.

Trainer Darrel Graham was issued with three (3) charges for the presentation of DRIVE THE DREAM NZ on the above-mentioned dates, all pursuant to Australian Harness Racing Rule 190(1) which reads:

*A horse shall be presented for a race free of prohibited substances.*

- CHARGE 1: - AHRR.190(1) The specifics of the charge being that:

*As the trainer of Drive The Dream NZ, Darrel Graham did present the horse to race at Albion Park on 17 December 2018 when a urine sample taken from Drive The Dream NZ, upon analysis, was found to contain a prohibited substance, namely Epitrenbolone*

- CHARGE 2: - AHRR.190(1) The specifics of the charge being that:

*As the trainer of Drive The Dream NZ, Darrel Graham did present the horse to race at Redcliffe on 2 January 2019 when a urine sample taken from Drive The Dream NZ, upon analysis, was found to contain a prohibited substance, namely Epitrenbolone*

- CHARGE 3: - AHRR.190(1) The specifics of the charge being that:

*As the trainer of Drive The Dream NZ, Darrel Graham did present the horse to race at Redcliffe on 23 January 2019 when a urine sample taken from Drive The Dream NZ, upon analysis, was found to contain a prohibited substance, namely Epitrenbolone*

Submissions were received from Mr. Graham's legal representative who pleaded not guilty to the three (3) charges as issued and including submissions regarding the validity of the swabbing testing procedures. QRIC Stewards after carefully considering these submissions found Mr Graham guilty of all three (3) charges.

After finding Mr Graham guilty QRIC Stewards received further submissions on penalty. In considering penalty QRIC Stewards were mindful of the following:

1. The nature, circumstances and seriousness of the offence
2. Mr Graham's personal circumstances, character, and general background
3. Mr Graham's disciplinary history
4. The penalty precedents for breaches of Australian Harness Racing Rule 190(1) and Australian Rule of Racing 240(2) specific to the prohibited substance Epi trenbolone;
5. The requirement for penalties to act as both a specific deterrent to Mr Graham and a general deterrent to the wider racing industry for the integrity of the racing industry to remain paramount.
6. Mr Graham's plea of not guilty.

The QRIC Stewards after having considered the above factors and disciplinary record in regard to offences under this rule, and the individual circumstances of the three (3) charges, determined the appropriate penalty for the offences as specified, that a fine of \$4,000.00 be imposed. Stewards directed that a \$1,000 portion of this penalty be wholly suspended for a period of twelve (12) months on the condition that Mr Graham does not reoffend against Australian Harness Racing Rule 190(1) throughout that period.

Furthermore, acting under the provisions of Australian Harness Rule 195, Drive The Dream was disqualified from its winning performances on 17 December 2018, 2 January 2019 and 23 January 2019 and the placings amended accordingly.

Due to the period of time that has elapsed from the date of the collection of the first subject sample from Drive The Dream NZ, Australian Harness racing Rule 190AA(4) will not be invoked.

Mr Graham was reminded of his rights of appeal.

