

# Stewards' Report

## Stewards Report: Fred Wieland – EI of a Saga

**Date: 4 May 2021**

**Panel: P Gillard, F Hartford**

Queensland Racing Integrity Commission (QRIC) Stewards today inquired into a report from the analyst that the prohibited substance Arsenic was detected in a post-race urine sample collected from the thoroughbred mare EI of a Saga at the Cairns Jockey Club 30 January 2021.

As a result of the analysts' findings, Stewards charged trainer Mr Fred Wieland to a breach of Australian Rule of Racing 240(2), which provides: Subject to sub rule (3), if a horse is brought to a racecourse for the purpose of participating in a race and a prohibited substance on Prohibited List A and/or Prohibited List B is detected in a sample taken from the horse prior to or following its running in any race, the trainer and any other person who was in charge of the horse at any relevant time breaches these Australian Rules.

The specifics of the charge being that Mr Fred Wieland, as the licensed trainer of EI of a Saga, brought that mare to the Cairns Jockey Club on 30 January 2021 for the purpose of competing in a race, being the Class 6 Handicap over 1250 metres, and a post-race urine sample collected from EI of a Saga revealed that the prohibited substance Arsenic was present in the subject sample at a level above the permitted threshold.

Mr Wieland entered a plea of not guilty to the charge and made submissions in defence of the charge. After considering all the evidence and submissions, Stewards were satisfied that sufficient evidence existed to substantiate the charge and subsequently found Mr Wieland guilty. Mr Wieland made further submissions on penalty and, in determining penalty in relation to the charge, the Stewards considered the following:

1. The nature, circumstances and seriousness of the offence;
2. Mr Wieland's personal circumstances, including the number of horses currently under his care and control and training history;
3. Mr Wieland's disciplinary history;
4. Mrs Wieland's plea of not guilty;
5. The penalty precedents for an offence pursuant to Australian Rule of Racing 240(2) particular to the substance Arsenic;
6. The strict liability imposed upon trainers to present horses to race free from any prohibited substance in accordance with the Australian Rules of Racing; and

7. The need for the penalty to act as both a specific deterrent to Mr Wieland to reduce the risk of further offending and as 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 the offence was a fine of \$2000.

Further, in accordance with Australian Rule of Racing 240(1), El of a Saga was disqualified from winning the above-mentioned race and the placing's in the above-mentioned race were amended as follows:

Cairns Jockey Club 30 January 2021 – Class 6 Handicap 1250m

1st – Cash Raider

2nd – Shunter

3rd – Jemadar

4th – The Groom

Mr Wieland was advised of his rights to apply for an internal review of the decision pursuant to Chapter 6 of the Racing Integrity Act 2016 (Qld).