

# Stewards' Report

## Stewards Report: Desleigh Forster – Kim Alicia

**Date: 15 June 2021**

**Panel: P Chadwick, and D Aurisch**

Queensland Racing Integrity Commission (QRIC) Stewards today concluded an inquiry into analysts' findings that the prohibited substance Epi trenbolone was detected in a post-race urine sample collected from the thoroughbred filly KIM ALICIA at the Doomben Race Meeting on 6 July 2019.

The inquiry was initially conducted via written correspondence whereby Stewards considered documentary evidence from the Racing Science Centre and the Australian Racing Forensic Laboratory and subsequently charged trainer Ms Desleigh Forster pursuant to Australian Rule of Racing 240(2).

Australian Rule of Racing 240(2) provides:

*Subject to subrule (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 charges being that Ms Forster, as the licensed trainer of KIM ALICIA, brought that filly to the Doomben Race meeting on 6 July 2019 for the purpose of competing in a race, being Race 2 the Madame Wu QTIS Two Year-Old Handicap over 1350 metres, and an analysis of the post-race urine sample collected from KIM ALICIA detected the presence of Epi trenbolone in the sample, which is a prohibited substance on Prohibited List A of the Australian Rules of Racing.

After considering the evidence and submissions from Ms Forster, Ms Forster was found guilty the charge.

Ms Forster subsequently made submissions in respect of any penalty to be imposed.

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

1. The nature, circumstances and seriousness of the offence, noting that KIM ALICIA had been treated orally with a prescribed veterinary product no earlier than some two (2) days prior to the filly competing in the subject race, with such treatment being a result of the mare's behavioural difficulties and that this treatment was given after considering Veterinary advice. Ms Forster was of the honest belief, on veterinary advice, that the substance would have been cleared from KIM ALICIA's system within two (2) days.

2. Ms Forster's personal circumstances, character and general background, noting Ms Forster has held a licence in the racing industry for over 15 years. Also that she currently employs 4 Staff and has 19 horses in work,
3. Mr Forsters' disciplinary history, noting that she has held a Thoroughbred Trainer's Licence for over fifteen (15) years and that her disciplinary history showed 2 previous prohibited substance positives in 2004 and 2010;
4. A notice was issued by QRIC on 21 June 2018 warning in regard to the use of products containing Altrenogest.
5. Another notice in regard to an update on Altrenogest was issued 15 October 2018 advising Trainers to discontinue immediately the use of oral and injectable forms of products containing Altrenogest
6. The penalty precedents for breaches of Australian Rule of Racing 240(2) specific to the prohibited substance Epi trenbolone; and
7. The requirement for penalties to act as both a specific deterrent to Ms Forster 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' Panel, having considered the above factors determined the appropriate penalty for the offence as specified was a monetary penalty in the amount of \$4,000.00 with \$2,000.00 to be wholly suspended for a period of twelve (12) months on the condition that Ms Forster does not reoffend against Australian Rule of Racing 240(2) throughout that period.

Furthermore, acting under the provisions of Australian Rule of Racing 240(1), KIM ALICIA was disqualified from its 1st placing in the Madame Wu QTIS Two-Year-Old Handicap over 1350 metres and the placings were amended accordingly.

DOOMBEN 6 JULY 2019

Race 2 MADAME WU QTIS TWO YEAR OLD HANDICAP 1350m

1<sup>st</sup> - SPURIOUS

2<sup>nd</sup> – KNIGHT MARINER

3<sup>rd</sup> - VIOLET

4<sup>th</sup> – SNAZZ N CHARM

5<sup>th</sup> – BIGGIE

Due to the period of time that had elapsed from the date of the collection of the subject sample from KIM ALICIA, Australian Rule of Racing 248(4) could not be effected. However, KIM ALICIA competed in six (6) races throughout the twelve month period following the detection of the positive sample and KIM ALICIA did not obtain a placing higher than 2<sup>nd</sup> place throughout that time.

Ms Forster 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).

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