

Stewards' Report

Stewards Report: Garry Schwenke

Date: 15 July 2021

Panel: Daniel Aurisch & Peter Chadwick

Queensland Racing Integrity Commission (QRIC) Stewards today concluded an inquiry into a report from the Racing Science Centre (RSC) that the total plasma dioxide (TC02) concentration in a pre-race blood sample taken from Marlahn at Doomben on 25 September 2019 was at a concentration above the prescribed limit.

Documentary evidence was tabled from the Racing Science Centre and the Australian Racing Forensic Laboratory, along with evidence from licensed trainer Mr Garry Schwenke.

The inquiry was adjourned on 24 October 2019, to enable Stewards to take water samples from Mr Schwenke's registered stables as he asserted that this may be a possible explanation for the elevated TC02 reading.

Stewards today took further evidence from Mr Schwenke and also considered evidence from Dr Shawn Stanley, the Director of Analytical Services of QRIC Racing Science Centre (RSC).

After considering all the evidence, Mr Schwenke was issued with a charge pursuant to AR240(2) which reads:

Subject to subrule (3), if a horse has been 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 any 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 such horse at any relevant time may be penalised.

The specifics of the charge being that Mr Schwenke, as the trainer of Marlahn, brought that gelding to Doomben, for the purpose of engaging in a race and a pre-race blood sample taken from Marlahn, who competed in the 0-65 Handicap over 2050 metres, was found to contain TC02 at a concentration above the prescribed limit.

Mr Schwenke pleaded not guilty to the charge and made submissions in response.

After considering these submissions, QRIC Stewards were not satisfied that the water samples were responsible for the significant elevation in the TC02 sample taken from Marlahn, particularly bearing in mind the evidence from Dr Stanley.

In determining an appropriate penalty, Stewards were mindful of Mr Schwenke's good disciplinary record over a long period as trainer in Queensland. Stewards were also mindful of similar penalty precedents, the negative impact that such breaches have on the image of racing and the need for a penalty to serve as an appropriate deterrent.

Mr Schwenke was disqualified for (4) months effective from midnight on 22 July 2021 and to expire at midnight on 22 November 2021.

Furthermore, under the provisions of AR240(1) Marlahn was disqualified from its eighth placing in the above-mentioned race.

Mr Schwenke. was made aware of his appeal rights.
