

## Stewards' Report

### Stewards' Report: Damian Boutet and Jed Hodge

**Date: 06/01/2022**

**Panel: Daniel Aurisch, Rion Hitchener**

Queensland Racing Integrity Commission Stewards today concluded an inquiry regarding the urine sample purported to have been taken from Jockey Damian Boutet at Bundaberg on 2 November 2021.

Stewards today considered evidence provided by Jockey Boutet, Jockey Jed Hodge, as well as considering written correspondence provided from Racing Analytical Services Limited (RASL) and the Victorian Institute of Forensic Medicine whom provided a DNA profile of the urine sample provided by Jockey Boutet at Bundaberg on 2 November 2021 as compared to a previous sample provided by him at the Gold Coast Turf Club on 12 October 2021.

Upon questioning, Jockey Boutet confirmed that upon his request, Jockey Hodge provided him with a sample of his urine to substitute with his own to avoid providing a positive urine sample. Jockey Hodge also confirmed this to be the case upon questioning.

Subsequently both Jockey's Boutet and Hodge pleaded guilty to charges as follows-

Jockey Boutet pleaded guilty to a charge under AR 139 (b) which reads:

*A rider breaches these Australian Rules if the rider refuses or fails to deliver a sample as directed by the Stewards, tampers with, adulterates, substitutes, or in any way hinders the collection of a sample or attempts to do any of those things.*

The particulars of the charge were that Jockey Damian Boutet, did substitute a sample of urine which he purported to the Stewards to be taken from him at Bundaberg on 2 November 2021.

In the opinion of the Panel the appropriate penalty would be a disqualification for twelve (12) months to commence immediately, 6 January 2022 and to expire at midnight 6 January 2023.

Stewards did however advise Jockey Boutet that upon application the final 3 months of the disqualification may be varied to a suspension, thus allowing him to return to track work duties.

Furthermore, under the auspices of AR. 139 (4) Jockey Boutet must provide a urine sample free of any banned substances prior to being permitted to ride again.

Jockey Hodge pleaded guilty to a charge under AR 229(1)(a) which reads:

*A person must not engage in any dishonest, corrupt, fraudulent, improper, dishonourable action or practice in connection with racing.*

The particulars of the charge being that Jockey Hodge, did provide a sample of urine to Jockey Damian Boutet at the Bundaberg meeting on 2 November 2021, with the full knowledge that Jockey Boutet was going to use this sample to deceive the Stewards during the sample collection procedure.

Jockey Hodge was disqualified for a period of six (6) months to commence immediately and to expire at midnight 6 July 2023.

When considering penalty for both Jockey's the Panel considered the importance of taking urine samples from riders should never be understated as it serves as a safeguard for the riding cohort to ensure they are not competing against a fellow rider that may have their faculties impaired by a banned substance.

It strikes at the very heart of the process when a sample of urine purported to be from an individual is found by DNA testing not to be the case.

The difference in the DNA profile of the urine sample taken from Jockey Boutet at Bundaberg on 2 November 2021, in the opinion of the Panel, was a clear and premeditated attempt to deceive the Stewards and the penalty imposed for such breach must be severe to serve as a specific deterrent to him and a general deterrent to the wider industry to illustrate that this deception will not be tolerated.

The Stewards also considered forthright evidence of both parties and contrition in relation to the matter, personal circumstances, and the financial impact a significant penalty would have on them.

These considerations need to be balanced by the seriousness of the breach and the negative effect breaches of this kind have on the image of the industry.

Both riders also advised of right to lodge an internal review regarding these decisions.

