

# Stewards' Report

## Stewards Report: Cairns - Trainer Mr. Allan Holmes

**Date: 9 February 2022**

### Panel: P Gillard

Queensland Racing Integrity Commission (QRIC) Steward today inquired into the procurement of a preparation that had not been registered, labelled, prescribed, dispensed, or obtained in accordance with applicable Commonwealth and State legislation.

After hearing all the evidence, Trainer Mr Allan Holmes pleaded guilty to a charge pursuant to Australian Rule of Racing 256(2)(a)(iii) which provides:

Australian Rule of Racing 256(2)(a)(iii) provides:

A person must not:

(a) procure;

any of the following:

(iii) a substance or preparation that is not permitted to be in a person's possession or on a person's premises in accordance with AR 252(1).

Australian Rule of Racing 252(1) provides:

A person must not have in his or her possession or on his or her premises any medication, substance or preparation which has not been registered, labelled, prescribed, dispensed, or obtained in accordance with applicable Commonwealth and State legislation.

The specifics of the charge being that Allan Holmes, as a trainer licensed by the Queensland Racing Integrity Commission, did procure a preparation that was not permitted to be in his possession or on his premises in accordance with AR 252(1) when treating an injured horse. Mr Holmes entered a guilty plea to the charge and provided submissions to the Steward on penalty.

Mr Holmes pleaded guilty to a further charge pursuant to AR 231 (1)(b)(ii) & (iii), which reads:

A person must not, if the person is in charge of a horse, fail at any time: to take such reasonable steps as are necessary to alleviate any pain inflicted upon or being suffered by the horse and to provide veterinary treatment to the horse where such treatment is necessary for the horse.

The specifics of the charge being that in the days 5 December 2021 until 8 December 2021, Mr Holmes as the trainer of FASCINATING MISS failed to take the sufficient action necessary to alleviate the pain being suffered by the horse, and furthermore that Mr Holmes failed to provide veterinary treatment to the horse when necessary.

In determining penalties in relation to the charges, the Stewards considered the following:

1. Mr Holmes plea of guilty at the first available opportunity;
2. The nature, circumstances and seriousness of the offending conduct, including Mr Holmes admission that he procured what he believed to be an allowable treatment;
3. Mr Holmes personal circumstances, including the number of horses currently under his care and control being approximately five (5) of which he trains predominantly as a hobby trainer;
4. Mr Holmes disciplinary history over a period of approximately three (3) years;
5. Mr Holmes cooperation throughout the inquiry, together with his frank and forthright evidence;
6. The penalty precedents for the offences;
7. The need for the penalty to act as both a specific deterrent to Mr Holmes to reduce the risk of further offending and a general deterrent to the wider racing industry for the integrity of the racing industry to remain paramount.

The Steward, having considered the above factors, determined the appropriate penalties:

Charge 1: 256(2)(a)(iii)

Monetary penalty in the amount of \$500.00.

Charge 2: AR 231(1)(b)(ii) & (iii)

Trainer's licence suspended for a period of six (6) months to commence immediately 9 February 2022 and expire 9 August 2022.

Mr Holmes was advised of his rights to apply for an internal review of the decision's pursuant to Chapter 6 of the Racing Integrity Act 2016 (Qld) and further that he was granted 5 business days to arrange the relocation of his current horses in work until 15 February 2022.