

# Stewards' Report

## Stewards Report: Matthew Dunn – Ausfall

**Date: 28 March 2022**

**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 mare Ausfall at the Sunshine Coast Race Meeting on 15 May 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 Mr Matthew Dunn 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 Mr Dunn, as the licensed trainer of Ausfall, brought that mare to the Sunshine Coast Race meeting on 15 May 2019 for the purpose of competing in a race, being Race 1 Wimmers Premium Soft Drinks Maiden Handicap over 1600 metres, and an analysis of the post-race urine sample collected from Ausfall 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 Mr Dunn, Mr Dunn was found guilty the charge.

Mr Dunn 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,
2. Mr Dunn's personal circumstances, character and general background, noting Mr Dunn has held a licence in the racing industry for over 20 years. Also that he currently employs numerous Staff and has 92 horses in work,

3. Mr Dunns' disciplinary history, noting that he has held a Thoroughbred Trainer's Licence for over twenty (20) years and that his disciplinary history showed 2 previous prohibited substance positives in 2017;

4. A notice was issue 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 Epitebolone; and

7. The requirement for penalties to act as both a specific deterrent to Mr Dunn 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 Mr Dunn 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), Ausfall was disqualified from its 1st placing in the Wimmers Premium Soft Drinks Maiden Handicap over 1600 metres and the placings were amended accordingly.

Due to the period of time that had elapsed from the date of the collection of the subject sample from Ausfall, Australian Rule of Racing 248(4) could not be effected. However, Ausfall competed in one (1) race throughout the twelve month period following the detection of the positive sample and Ausfall did not obtain a placing higher than 13<sup>th</sup> place throughout that time.

Mr Dunn 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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