

Stewards' Report

Stewards Report: Terry McGovern – Mymill

Date: 21 October 2022

Panel: P Gillard, P. Lane

Queensland Racing Integrity Commission (QRIC) Stewards today inquired into a report from the analyst that the prohibited substance Heptaminol was detected in both a pre-race and post-race blood sample collected from the thoroughbred mare Mymill at the Townsville Turf Club on 28 June 2022.

As a result of the analyst's findings, Stewards charged trainer Mr Terry McGovern with a breach of Australian Rule of Racing 240(2), which 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 charge being that Mr Terry McGovern, as the licensed trainer of Mymill, brought that mare to the Townsville Turf Club on 28 June 2022 for the purpose of competing in a race, being the Benchmark 55 Handicap Division 2 over 1000 metres, and both a pre-race and post-race blood sample collected from Mymill revealed that the prohibited substance Heptaminol was present in the subject samples.

Mr McGovern entered a plea of guilty to the charge. In determining penalty in relation to the charge, the Stewards considered the following:

1. The nature, circumstances and seriousness of the offence;
2. Mr McGovern's personal circumstances, including the number of horses currently under his care and control and training history;
3. Mr McGovern's disciplinary history;
4. Mr McGovern's plea of guilty;
5. The penalty precedents for an offence pursuant to Australian Rule of Racing 240(2) particular to the substance Heptaminol;
6. The strict liability imposed upon trainers to present horses to race free from any prohibited substance in accordance with the Australian Rules of Racing;
7. The need for the penalty to act as both a specific deterrent to Mr McGovern to reduce the risk of further offending and as a general deterrent to the wider racing industry;

8. Stewards were also considerate that Mr McGovern had recently been penalised for a similar breach and had not had the opportunity to alter his treatment regime prior to being notified of the discrepancy in the subject sample.

The Stewards, having considered the above factors, determined the appropriate penalty for the offence was a fine of \$2000.

Further, in accordance with Australian Rule of Racing 240(1), Mymill was disqualified from winning the above-mentioned race and the placing's were amended as follows:

Townsville Turf Club 28 June 2022 – Benchmark 55 Handicap – Division 2 1000 metres

1st – Red Peroni

2nd – Shepherd Of Fire

3rd – Sunny Ekcels

4th – Bonython

Mr McGovern 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).