

Stewards' Report

Stewards Report: Steven O'Dea – The Black Tide & Jeweliana

Date: 15 December 2022

Panel: D Aurisch & A Turner

Queensland Racing Integrity Commission (QRIC) Stewards today concluded an inquiry into analysts' findings that the prohibited substance Epitebolone was detected in a post-race urine sample collected from both THE BLACK TIDE at the Ipswich Turf Club on 5 January 2019 and from JEWELIANA on 5 June 2019.

The inquiry was 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 Steven O'Dea with two (2) charges. One (1) pursuant to Australian Rule of Racing 178.

Australian Rule of Racing provides:

Subject to AR.177C, when any horse that has been brought to a racecourse for the purpose of engaging in a race and a prohibited substance is detected in any sample taken from it 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 as the licensed trainer of THE BLACK TIDE, Trainer Mr Steven O'Dea brought that mare to the Ipswich Turf Club on 5 January 2019 for the purpose of competing in a race, being the Schweppes QTIS Three-Years-Old Fillies Maiden Handicap over 1200 metres, and an analysis of the post-race urine sample collected from THE BLACK TIDE detected the presence of Epitebolone in the sample, which is a prohibited substance pursuant to Rule 177B of the Australian Rules of Racing.

And one (1) pursuant to Australian Rule of Racing 240(2), which states:

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 Steven O'Dea as the licensed trainer of JEWELIANA, brought that mare to the Ipswich Turf Club on 15 June 2019 for the purpose of competing in a race, being the Sirromet Bundamba Plate QTIS Two-Years-Old Handicap over 1100 metres, and an analysis of the post-race urine sample collected from JEWELIANA detected the presence of Epitebolone in the sample, which is a prohibited substance on prohibited substance on Prohibited List A of the Australian Rules of Racing.

Mr O'Dea subsequently pleaded not guilty and made submissions in response to the charge.

After giving these submissions consideration, the Stewards were of the opinion that sufficient evidence existed to substantiate the charge to the requisite standard and Mr O'Dea was found guilty of 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 O'Dea's personal circumstances, character, and general background, noting Mr O'Dea has held a licence in the racing industry for 15 years. Also, that he currently has 57 horses in work and employs up to 20 staff.
3. Mr O'Dea's disciplinary history, noting that he has held a Thoroughbred Trainer's Licence for fifteen (15) years and that his disciplinary history showed one (1) previous prohibited substance positive, albeit in a barrier trial,
4. A notice was issued 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 specific to the prohibited substance Epi trenbolone
7. The requirement for penalties to act as both a specific deterrent to Mr O'Dea 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 both of the offences as specified was a monetary penalty in the amount of \$4,000.00 for each charge, being a total of \$8000, with \$4,000.00 to be wholly suspended for a period of twelve (12) months on the condition that Mr O'Dea 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), THE BLACK TIDE and JEWELIANA were both disqualified from winning the above-mentioned races and the placings were amended as follows:

The Black Tide – Ipswich 5 January 2019

1st – EULEILAH

2nd – BALERIAN

3RD – TOP EVIE

4TH – COURAGEOUS CLOE

5TH – HIBACHI MISS

Jeweliana – Ipswich 15 June 2019

1st – SUGAR BOOM

2nd – KARAJA

3rd – LE PALMIER

4th – MAGIC TRICK

5th – READY TO ROAM

Due to the period of time that had elapsed from the date of the collection of the subject samples from both THE BLACK TIDE and JEWELIANA, Australian Rule of Racing 248(4) could not be effected.

Mr O’Dea 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).
