

Stewards' Report

Stewards Report: Patrick Ryan

Date: 15 September 2023

Panel: D.Farquharson, N.Torpey, S. Shinn

Queensland Racing Integrity Commission (QRIC) Stewards commenced inquiries on 13 July 2023 into reports from the QRIC Racing Science Centre (RSC) and Racing Analytical Service Limited (RASL) that the prohibited substance Clenbuterol had been detected in samples taken from the Patrick Ryan trained horse Little Miss Lily following its performances at Redcliffe on 24 June and Albion Park 30 June 2023.

On 21 August 2023, Mr Ryan was issued with two (2) charges pursuant to AHR Rule 190(1) of the Australian Harness Racing (AHR) rules, as follows:

AHR Rule 190 (1)

(1) A horse shall be presented for a race free of prohibited substances

The particulars being that:

Charge 1: Licensed trainer Patrick Ryan, as the trainer of Little Miss Lily did present that horse to race at Redcliffe on 24 June when a post-race urine sample taken from that horse, upon analysis, was found to contain a prohibited substance, namely Clenbuterol.

Charge 2: Licensed trainer Patrick Ryan, as the trainer of Little Miss Lily, did present that horse to race at Albion Park 30 June 2023 when a post-race urine sample taken from that horse, upon analysis, was found to contain a prohibited substance, namely Clenbuterol.

On 6 September 2023, Mr Ryan registered guilty pleas to both charges.

Today after careful consideration of the facts and taken into account submissions tendered on behalf of Dr Simon Robinson, the Victorian Equine Group, and character references of David Aiken and Don Rudd, Patrick Ryan was found guilty of Charge 1 and Charge 2.

Stewards considered the submission provided by Dr Simon Robinson as explanation for the positive findings in both samples, that being an error in the information dispensed on the label of Airway TMPS that stipulated no withholding period prior to racing which was incorrect as Airway TMPS contains Clenbuterol. It was further asserted by Dr Simon Robinson that this label was meant for Bromo TMPS which has no withholding period after administration prior to racing.

In assessing this matter Stewards considered the blameworthiness of Patrick Ryan by failing to take reasonable steps to check the integrity of the substance when it clearly marked Clenbuterol Hydrochloride as an active constituent in the product. Stewards accept that separate administrations of this substance contributed to positive samples being returned from successive race meetings. When considering this one error by the veterinarian in the incorrect labelling of the Airway TMPS as the likely source, Stewards also considered the short timeframe between races when assessing the matter of penalty. Stewards also gave consideration to,

- AHR Rule 190 (1) is a strict liability rule with the onus on the trainer to present a horse drug free for racing,
- The degree of culpability of Patrick Ryan by failing to take reasonable steps to check the substance with a veterinarian when Clenbuterol was clearly marked as an ingredient in the substance,
- The offence file of Patrick Ryan which indicates no previous breaches of this rule,
- Penalty precedents for matters of this type,
- The need for any penalty to serve as a deterrent both general and specific,
- Forthright evidence and guilty pleas of Patrick Ryan

In assessing all the evidence and submissions received, the decision of the Stewards is as follows;

Charge 1 – AHR Rule 190(1) - a fine of \$4000 be imposed.

Charge 2 – AHR Rule 190(1) - no penalty applied.

Acting under the provisions of AHR rule 195, Little Miss Lily shall be disqualified from its performances in race 7 The Redcliffe Oaks on 24 June 2023, and race 3 the AQWA Constructions Pace at Albion Park on 30 June 2023. All remaining placegetters will be amended accordingly.

Mr Ryan was advised of his rights to review to the Racing Appeal Panel.