

Stewards' Report

Stewards Report: Nicholas Walsh

Date: 17 April 2024

Panel: Shane Larkins, Tate Hudson, Ethan Suli, Hayden Gillett

Queensland Racing Integrity Commission Stewards today conducted an inquiry into the analysts findings that the prohibited substance Triamcinolone acetonide was detected in a blood sample collected from the horse JUST SUPER, when it competed in and won race three (3) the The Agency Class 6 Plate, at the Rockhampton Jockey Club meeting held on 21 December 2023.

Submissions were made by Nicholas Walsh, trainer of JUST SUPER at the relevant time.

After considering the evidence in its entirety the following charges were issued against Mr Walsh.

Charge 1

Division 2 – Prohibited substance in a sample taken from a horse

AR 240 Prohibited substance in sample taken from horse at race meeting

(2) 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.

Mr Nicholas Walsh, as the trainer and person in charge of the thoroughbred JUST SUPER at the relevant time before and after it competed in and won race three (3) The Agency Class 6 Plate at the Rockhampton Jockey Club meeting on 21 December 2023 and the substance Triamcinolone acetonide being detected in a post-race blood sample by Racing Science Centre and confirmed by Racing Analytical Services Ltd, he did breach these Australian Rules.

Charge 2

AR 104 Trainers must keep treatment records

(1) A trainer must record any medication or treatment administered to any horse in the trainer's care by midnight on the day on which the administration was given.

Mr Nicholas Walsh, as the trainer of JUST SUPER, during a stable inspection conducted on 19 February 2024 he failed to have in his possession appropriately recorded treatment records for horses under his care.

Mr Walsh pleaded guilty to both charges.

When assessing penalty stewards considered the following factors.

- Mr Walsh's immediate plea of guilty to the charges;
- Mr Walsh's full cooperation throughout the investigation and inquiry process;
- Mr Walsh's time in the thoroughbred racing industry as a trainer, being approximately four (4) years;
- Mr Walsh's disciplinary history, noting he has no prior breaches under AR240(2) of the Prohibited Substances Rules in four (4) years of training;
- The current number of horses currently in training under Mr Walsh's care and custody, being fourteen (14) horses;
- The current number of staff that Mr Walsh employs;
- The nature of the prohibited substances, Triamcinolone acetonide, being classified as Prohibited List B substance;
- The need to maintain the integrity of thoroughbred racing industry and to ensure a level playing field for all participants;
- The need for both specific deterrence to Mr Walsh and general deterrence to the wider industry;
- The need for the general public to maintain confidence in the integrity control of the thoroughbred racing industry;
- Relevant penalty precedents of similar categorised substances;
- The Human Rights Act 2019;

The following penalties were imposed against Mr Walsh;

Charge 1 AR 240(2) Prohibited substance present in a race day sample – Fined \$4000

Charge 2 AR 104(1) Failure to record administered treatments – Fined \$300

AR 240 Prohibited substance in sample taken from horse at race meeting

(1) Subject to subrule (3), if a horse is brought to a racecourse 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 horse must be disqualified from any race in which it started on that day.

After considering submissions from Mr Walsh on behalf of the connections of JUST SUPER, in accordance with AR 240(1) JUST SUPER was disqualified from the subject race and placings are ordered to be amended as follows.

1st – JANEAN

2nd – OCEAN EMPEROR

3rd – DOLLAR DOLLAR

4th – EYE WITNESS

Mr Walsh was advised of his rights to appeal.