

Stewards' Report

Stewards Report: Olivia Webb

Date: 15/08/2024

Panel: Clayton Warren & James Childs

Queensland Racing Integrity Commission Stewards today inquired into a report from the analyst that urine samples provided by Apprentice Olivia Webb at Barcaldine Races on 8 July 2024 and Toowoomba track-work on 12 July 2024 contained a substance banned under the provisions of AR136(1).

After hearing all submissions from App Webb, her Master Trainer Paul Wallace and considering all the evidence, including reports from Racing Analytical Services Limited, App Webb was issued with the two (2) charges pursuant to AR139(1)(a) which reads:

AR 139 Offences where riders use banned substances

(1) A rider breaches these Australian Rules if:

(a) a banned substance under AR 136(1) is detected in a sample taken from the rider;

The particulars of the charges being:

Charge 1 & 2:

App Webb was at all relevant times a licensed person with the Queensland Racing Integrity Commission

On 8 July 2024 at Barcaldine Races & on 12 July 2024 at Toowoomba track-work App Webb did provide urine samples as requested by Stewards for analysis

Subsequent analysis of those samples identified and confirmed the presence of a banned substance under AR136(1)

In considering penalty Stewards noted the following:

- App Webb's and Mr Wallace's submissions
- Admission of guilt at the earliest convenience
- Apprentice status and relatively short time in the industry
- Forthright evidence and genuine remorse
- Personal circumstances

- Prior record in relation to the rule noting one (1) previous breach pertaining to a similar substance in December 2021
- Relevant penalty precedents
- The specific circumstances of the matter; particularly the nature of the substance concerned
- The marginal period between the two (2) samples being provided
- The negative impact breaches such as this have on the integrity and image of the industry
- The need to both specific and general deterrence
- The principle of totality

Subsequently, Stewards determined App Webb's licence to ride, inclusive of track-work, be suspended for a period of five (5) weeks for both charges, to be served wholly concurrently, and to commence 30 July 2024, the day on which App Webb was stood-down from riding, up to and including 3 September 2024.

Stewards further ordered that under the provisions of AR139(4) App Webb must provide a urine sample free of any banned substances prior to being permitted to return to riding duties.

Additionally, Stewards concluded an inquiry commenced on 13 July 2024, the day on which App Webb's mobile phone was discovered in the Jockeys room during the course of a race meeting at Toowoomba Turf Club and subsequently seized for further analysis. After taking submissions from App Webb and Trainer Mr Paul Wallace, Stewards issued App Webb with a charge pursuant to AR218(4)(c) which reads:

AR 218 No transmission of certain information in certain areas at racecourses

(4) Without the permission of the Stewards, a person (including but not limited to a jockey) must not:

(c) use in the jockeys' room,

any mobile telephone, tablet, radio transmitter, radio transceiver or any other appliance, apparatus, instrument or equipment capable of receiving or transmitting information.

The particulars of the charge being:

Charge 3:

1. App Webb was at all relevant times a licensed person with the Queensland Racing Integrity Commission

2. App Webb did between 29 July 2023 & 13 July 2024 use her mobile phone in the Jockeys room on no less than four-teen (14) occasions during the course of race meetings.

In considering penalty Stewards noted the following:

- App Webb's and Mr Wallace's submissions
- Guilty plea
- Apprentice status and relatively short time in the industry
- Forthright evidence and genuine remorse
- Personal circumstances
- Prior record in relation to the rule noting one (1) previous breach
- Relevant penalty precedents
- The specific circumstances of the matter; particularly the nature of the use noting no nefarious activity was identified
- The negative impact breaches such as this have on the integrity and image of the industry
- The need to both specific and general deterrence
- The principle of totality

Subsequently, Stewards determined App Webb's licence to ride in races be suspended for a period of two (2) weeks, to be served partly concurrent with the aforementioned penalties, and to commence 27 August 2024, up to and including 9 September 2024.

In considering the above matters Stewards acknowledged that any penalties imposed may limit or prevent a person from earning a living from the racing industry and subsequently that the imposition of such a penalty may limit a person's human rights to own property (namely a licence), as well as the human right of privacy and reputation.

The Commission further acknowledges that a limitation upon a person's ability to participate in the racing industry, and earn income from that participation, may only be imposed where it is reasonably necessary to achieve the purpose of taking disciplinary action and there is no less restrictive and reasonably available way to achieve the purposes listed above, than to suspend a licence, disqualify a person from holding a licence, or warn a person off from involvement in the racing industry.

In these specific circumstances, Stewards were satisfied that there was no lesser penalty that could be imposed that enables the purposes of taking disciplinary actions against a licensee for a contravention of the rules of racing as listed above other than the aforementioned suspensions.

App Webb was advised of her right to an appeal.