

Stewards' Report

Stewards Report: Mr Nathan Day (Jockey)

Date: 30 December 2024

Panel: P. Gillard, S. Copelin & A. Holzhauser

Queensland Racing Integrity Commission (QRIC) Stewards today inquired into the results of a sample of breath provided by licenced jockey Nathan Day at Mareeba Turf Club on Thursday, 26 December 2024.

At that meeting Jockey Day was stood down by Stewards prior to fulfilling any riding engagements after a subsequent breath analysis conducted by Stewards revealed a reading in excess of the concentration of alcohol permitted under the Rules of Racing.

Charge: AR 136(f) – Offences where riders use banned substances

The details of the charge being that licensed jockey Mr Nathan Day, breached AR 136(f) by reason of the following particulars:

1. He did accept riding engagements at the Mareeba Turf Club Race Meeting on Thursday, 26 August 2024.
2. On Saturday, 26 December 2024 he attended Mareeba Turf Club Race Meeting for the purpose of fulfilling his riding engagements.
3. QRIC Stewards took a sample of his breath with a breath analysing instrument, in accordance with their powers under AR 22(h).
4. The sample he provided was found, upon analysis, to have a concentration of alcohol that was in excess of the level permitted under the Rules of Racing.

Plea: Guilty

Penalty

QRIC Stewards considered the following matters when determining an appropriate penalty.

- Guilty plea and cooperation with Stewards both at the Mareeba Turf Club Race Meeting on Saturday, 26 December 2024 and at today's hearing.
- Professional and personal circumstances.
- Long service to the industry.
- Genuine remorse displayed for this breach of the rules.
- First breach under this rule.
- Principles of specific and general deterrence and what message is sent to the industry in respect to such conduct.

- Purpose of issuing penalties as a protective measure for the image and interests of the Thoroughbred racing industry.
- The late scratching of a runner when no other rider was available.
- Low range reading.

Penalty: 6 weeks of his jockey's licence to ride in races or official trials, reduced to 4 weeks suspension for his guilty plea and other relevant considerations as set out above. Accordingly, he was suspended for a period to commence on Thursday, 26 December 2024, the day upon which he was stood down by Stewards, and to expire midnight 23 January 2025. Free to resume race riding 24 January 2025.

He was further advised he would also have to satisfy other conditions required by Stewards.

Relevant Rules

AR 139(1)(a) 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

AR 136(1) Banned substances in relation to riders

(1) Unless otherwise stated in these Australian Rules, the following substances and/or their metabolites, artefacts and isomers are specified as banned substances in riders when detected in a urine sample at a concentration above the respective threshold level:

(f) alcohol (at a blood alcohol concentration in excess of 0.02% (that is, 20 milligrams of alcohol in every 100 millilitres of blood) on a breath analysing instrument)

Mr Day was advised of his rights to an RAP Review of the stewards' decision.