



Stewards Report: Trainer Thomas Smith

Date: 13 March 2025

Panel: Emily Tickner, Shane Larkins, Ethan Suli, Hayden Gillett & Shikira Stehbens

Queensland Racing Integrity Commission (QRIC) Stewards concluded an inquiry into the alleged conduct of licensed trainer Mr Thomas Smith at the Rockhampton Racecourse on 22 July 2024 in regard to attempts and methods used to encourage an unnamed bay colt to enter the equine swimming pool located at the Rockhampton Jockey Club.

Initial evidence was taken from Mr Smith and submissions considered from Mr Jim Murdoch KC on both Tuesday, 21 January 2025 and Thursday, 13 March 2025.

After considering the evidence in its entirety, Stewards issued a charge against Mr Smith under the following rule for improper conduct.

AR228 – Conduct

Detrimental to the Interest of Racing

A person must not engage in:

b) misconduct, improper conduct or unseemly behaviour.

Stewards specified the improper conduct portion of the rule.

The specifics of the charge being.

1. Mr Smith was, at all relevant times, the holder of a general trainer's license with the Queensland Racing Integrity Commission.
2. Mr Smith was, at all relevant times, the person in charge of and responsible for the care and possession of the unnamed bay colt (for the purpose of the inquiry 'the horse'.)
3. In attempting to swim the horse at the Rockhampton Jockey Club Pool on July 22, 2024, Mr Smith did engage in improper conduct in that by reasons of the following actions, which were captured on CCTV Footage (Exhibit 4) and detailed below:
 - a. Mr Smith struck the horse on several occasions using the poly pipe on the gelding's rump and hind using force, before striking the horse across the neck with the poly pipe.
 - b. Mr Smith shortened the poly pipe to use it as a blunt force object and directly used it in the vicinity of the rib cage of the horse.
 - c. Mr Smith attempted to pull the horse forward for an excessive period of time resulting in the horse rearing up and falling, making heavy contact with the pool barrier partitions.
 - d. Mr Smith did forcefully strike the horse in the lower right jaw region with a closed left fist.

- e. Mr Smith did use excessive force with a stallion chain on a number of occasions over an extended period of time until the horse displayed adverse behaviour.
- f. Mr Smith did direct a hose at the horse's head, resulting in the horse displaying significant adverse reaction and subsequently making heavy contact with the pool barrier partitions on multiple occasions.
- g. Mr Smith failed to prevent a licensed participant from continually applying the poly pipe persistently and at times with significant force resulting in the horse becoming agitated and reacting in an adverse manner, resulting in the horse turning away on a number of occasions and rearing and falling.
- h. For approximately 33 minutes, Mr Smith persisted in his efforts to swim the horse, employing methods and attempts continued for an excessive period of time and did not offer the horse any period of notable respite from continued pressure.

Mr Smith entered a plea of not guilty and made submissions to that effect.

After considering the matter in its entirety, Stewards found Mr Smith guilty of the breach.

After hearing submissions in relation to penalty, stewards considered the following.

- Seriousness of a breach of AR228(b)
- General Deterrence
- Specific Deterrence
- The negative impact such breaches have on the image of the racing industry
- Relevant Precedents
- Not guilty plea
- Disciplinary history, which reflected a clear record in relation to matters of this type
- Human Rights Act 2019 (Qld) and the impact that any penalty may have on an individual

Mr Smith's license to train was suspended for a period of six (6) months, with three (3) months of this penalty wholly suspended for a period of two (2) years under the provisions of AR283(5), on the condition that Mr Smith does not breach any conduct related rule in this period.

After considering further submission in regard to a penalty commencement date, Stewards determined that under the provisions of AR283(7), Mr Smith could continue to act in his capacity as a trainer for seven (7) days, with the penalty to commence midnight Thursday, 20 March 2025 and to expire midnight Friday, 20 June 2025.

Mr Smith was advised of his rights to an appeal.