

# Stewards' Report

## Stewards Report: C Wearne – Menari Magic

Date: 31 March 2025

Panel: J Adams, S Larkins, E Suli, H Gillett.

Queensland Racing Integrity Commission (QRIC) stewards today inquired into video footage supplied to QRIC showing a registered thoroughbred being struck with a lead rope and a wooden twitch.

It was established that on a date in or around September 2021, when attempting to groom registered thoroughbred Menari Magic's mane, the Mare bit Mr Wearne on the arm and reared up striking Mr Wearne's forearm. It was established that following this incident, Mr Wearne struck Menari Magic with a lead rope on five (5) occasions in the region of the head and twice (2) with a wooden twitch in the region of the head.

Stewards after reviewing all of the evidence obtained during the course of the inquiry, formed the opinion that contraventions of the Australian Rules of Racing had occurred.

Mr Wearne was issued with the following charge.

### **AR 231 Care and welfare of horses**

*(1) A person must not:*

*(a) commit or commission an act of cruelty to a horse, or be in possession of any article or thing which, in the opinion of the Stewards, is capable of inflicting cruelty to a horse.*

### **AR2**

*cruelty includes any act or omission as a consequence of which a horse is mistreated.*

The details of the charge being that Mr Wearne, did commit acts of cruelty to Registered racehorse MENARI MAGIC at the stables of a Licensed trainer in or around September 2021.

1. Whilst present at the stable of a licensed trainer he struck registered racehorse Menari Magic with a wooden twitch in the vicinity of the head on two (2) occasions.
2. Whilst present at the stable of a licensed trainer he struck Menari Magic with a lead rope in the vicinity of the head on five (5) occasions.

3. Such conduct detailed above resulted in Menari Magic displaying aversive flight behaviour.

Mr Wearne **plead guilty** to the charge and made submissions on penalty.

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### **Penalty**

When considering an appropriate penalty, stewards view breaches of this kind very seriously given the significant welfare issues caused by such conduct. Further, it can have a detrimental effect on the image of racing, and penalties must serve as a general deterrent to illustrate to the entire racing industry that these activities cannot be condoned. Mr Wearne had shown remorse for his actions during the inquiry and the impact it had on Minari Magic's wellbeing. During the course of the inquiry Mr Wearne provided evidence that he was dealing with personal issues outside of the workplace at the time of the incident, which may have exacerbated his behaviour.

**Stewards disqualified Mr Wearne for Sixteen (16) months** to commence 31 March 2025 and to conclude 31 July 2026

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Stewards acknowledge that the penalty imposed upon Mr Wearne will limit or prevent him 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 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.

In the circumstances of this case, stewards were satisfied that there was no lesser penalty that could be imposed that enables the purposes of taking disciplinary action against a licensee for a contravention of the rules of racing, which are to:

- maintain public confidence in the racing of animals in Queensland for which betting is lawful;
- ensure the integrity of all persons involved with racing or betting under the *Racing Integrity Act 2016* or the *Racing Act 2002*; and
- safeguard the welfare of all animals that are or have been involved in racing under the *Racing Integrity Act 2016* or the *Racing Act 2002*.

Mr Wearne was advised of his rights of appeal.