

DECISION

Of

Queensland Racing Integrity Commission Stewards

Regarding

Mr Jesse Townsend

Delivered on:	25 September 2025
Date of hearing:	18 September 2025
Panel:	Mr Joshua Adams (Chairperson), Mr Paul Zimmermann and Mr Alexander Dowsett
Appearances:	Mr Jesse Townsend. Mr Corey Cullen (Solicitor) Mr Thomas Cicchini (Solicitor)
Charge :	Australian Rule of Racing ("AR") 229(1)(a) states: (1) A person must not: (a) engage in any dishonest, corrupt, fraudulent, improper or dishonourable action or practice in connection with racing;
Particulars of Charge:	<p>Mr Jesse Townsend a licensed Trainer with the Queensland Racing Integrity Commission, in contravention of Australian Rule of Racing AR229(1)(a) engaged in fraudulent behaviour in connection with racing.</p> <ol style="list-style-type: none">1. Mr Townsend was at all relevant times a licensed Trainer with the Queensland Racing Integrity Commission.2. As a requirement of Mr Townsend's Trainers license, he was required to obtain a Health Assessment Results form completed by a Medical Practitioner to allow him to ride trackwork.

3. Mr Townsend submitted a fraudulent Health Assessment Results Form for the 2023/2024 season by altering the name on a Health Assessment Results Form obtained by another licensed person.
4. Mr Townsend's conduct in submitting an altered Health Assessment Results Form was fraudulent and accordingly in breach of AR229(1)(a).

Plea: Guilty

Penalty Submissions:

Stewards were presented with detailed written submissions present by Mr Cullen on behalf of Mr Jesse Townsend.

1. Early plea & cooperation: Prompt admission at the 18 Sep 2025 inquiry, full cooperation with Stewards, expressions of contrition, positive character references.
2. Personal circumstances: Young family; primary/sole income; additional reliance on farriery work, any period of disqualification would cause significant financial hardship.
3. Riding was confined to his own horses for trackwork; no participation in jump-outs or official trials; reduced exposure to other riders/horses.
4. Comparative outcomes (ceiling): Recent determinations for falsified medicals, Marshall (12 reduced to 8 months), Thorburn (12 reduced to 6 months), Button (6 reduced to 4 months as trackwork rider) contended that these set an upper range.
5. Reliance on Belford v Queensland Harness Racing Board [2004] QRAT 46 to submit that disqualification would operate as a "double penalty" by preventing both training and farriery, and that hardship should moderate sanction.
6. Sought a penalty wholly suspended under AR 283(5) (or, alternatively, a markedly reduced period of disqualification/ suspension) having regard to the early plea, cooperation, limited risk profile, hardship, and comparative cases.

Stewards Finding on Penalty:

The Stewards accept Mr Townsend's guilty plea, cooperation, remorse, and good record, and acknowledge the personal and financial consequences that will flow from any penalty; these mitigating factors have been properly weighed. Notwithstanding mitigation, falsifying medical documentation is a serious integrity breach. The annual licensing and medical clearance process exists to ensure all licensed participants are medically fit to safely undertake their roles.

Trainers who ride trackwork exercise thoroughbreds at speed, often in company, and are entrusted with the preparation of horses for owners and the wagering public, core industry stakeholders who must have confidence that riders are properly licensed and medically cleared.

Dishonesty within this framework undermines participant safety and erodes public trust in racing. An aggravating feature here is the extent of unlicensed activity undertaken while not medically cleared. By Mr Townsend's own admissions, he rode approximately six horses each morning, six days per week, over a period of twelve months without a current medical. This represents a substantial and sustained exposure of himself, other riders, and horses to elevated risk.

The offending therefore differs in gravity from matters such as *RAP-165 QRIC v McKay*, where falsification was detected without ensuing trackwork; moreover, in *McKay* the penalty of disqualification rendered the participant unable to be employed as an industry educator. While such collateral employment consequences are noted, they do not outweigh the need for general deterrence. Consistent with established appellate authority, penalties for dishonest conduct must protect public confidence and the image of racing, trainers carry a heightened responsibility to model compliance and protect the image of the sport.

As stated by McGill DCJ in *Wallace v Queensland Racing* [2007]:

"Public confidence in racing is easily damaged, and must be protected by imposing penalties when conduct is shown to be prejudicial to the image of the sport."

In *Waterhouse v Racing Appeals Tribunal* [2002] NSWCA 195, the Court emphasised:

"Dishonest conduct in racing is conduct which is blameworthy and capable of undermining confidence in the industry."

Further, in *Pollett v Racing NSW* (2021) NSWCATAD 152, the Tribunal observed:

"It is sufficient if the conduct has a tendency to diminish public confidence in the integrity of racing, whether or not actual prejudice can be shown."

In respect of comparative authorities, Stewards are satisfied that the appropriate penalty framework is one of disqualification. This is consistent with penalties imposed in cases involving dishonesty and falsification of medical documents:

- *Goring* (2025): 8 months disqualification for falsification of a medical.
- *Johnston* (2025): 4 months disqualification for falsification of a medical.
- *Marshall* (2025): 8 months disqualification for falsification of a medical.
- *Ross* (2021): 8 months disqualification for falsifying a medical certificate.
- *Sharrock* (2025): 9 months disqualification for repeated falsifications.
- *McKay* (2025): 9 months disqualification for multiple falsifications.
- *Wright* (2023, VRT): 12 months disqualification for forging a doctor's signature
- *Schembri* (2025, VRT): 3 years disqualification for repeated falsification and false evidence

Human Rights

In considering this matter, proper consideration is required in respect of human rights, and it is necessary to act compatibly with human rights in accordance with the *Human Rights Act 2019* (Qld). The Stewards acknowledge that any penalty imposed upon Mr Townsend 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 Stewards further acknowledge 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.

In the circumstances of this case, Stewards are satisfied that there is 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*.

Penalty:

Stewards are of the view that a disqualification is warranted in the circumstances. A disqualification for a period of six (6) months reduced to four (4) months in relation to Mr Townsend's disciplinary history and guilty plea, effective from the date of this decision commencing 25 September 2025 concluding 25 January 2026.

Further, stewards permitted Mr Townsend seven (7) days from 25 September 2025 to transfer all horses from his care and custody, with stewards permission being required for each transfer and it is expected that he will tend to the feeding and general care of all horses but is not permitted to engage in the training, educating or exercising of any horses during this period.

Stewards further draw to the attention of Mr Townsend Australian Rule of Racing AR 263 and the prohibitions on persons and their conduct while disqualified.

Against this Stewards decision Mr Townsend is advised of his rights to appeal this decision to the Racing Appeal Panel.