

## MR JOHN MCCARTHY- INQUIRY CONCLUDED

DECEMBER 5, 2019

Harness Racing New South Wales (HRNSW) Stewards have concluded an Inquiry that commenced on 3 May 2019 and resumed on 17 September 2019 in relation to a report from the Australian Government National Measurement Institute (NMI) that Cobalt above the threshold of 100 micrograms per litre in urine had been detected in the urine sample taken from UNDER WORKED NZ following its win in race 4, the AINSWORTH GAME TECHNOLOGY PACE (1609 metres) conducted at Tabcorp Park Menangle on Tuesday 16 October 2018.

The 'B' sample was confirmed by the Chemcentre (RASL) in Western Australia.

On 3 May 2019, following consideration of the evidence HRNSW Stewards issued a charge against Mr McCarthy pursuant to Australian Harness Racing Rule (AHRR) 190 (1), (2) & (4) as follows:

AHRR 190. (1) A horse shall be presented for a race free of prohibited substances.

(2) If a horse is presented for a race otherwise than in accordance with sub rule (1) the trainer of the horse is guilty of an offence.

(3) If a person is left in charge of a horse and the horse is presented for a race otherwise than in accordance with sub rule (1), the trainer of the horse and the person left in charge is each guilty of an offence.

(4) An offence under sub rule (2) or sub rule (3) is committed regardless of the circumstances in which the prohibited substance came to be present in or on the horse.

Mr McCarthy pleaded guilty to the charge issued and the Inquiry was adjourned following an application from Mr McCarthy's legal representative.

On 17 September 2019, the Inquiry resumed and detailed penalty submissions were provided by Mr McCarthy's legal representative.

On Wednesday 4 December 2019, HRNSW Stewards imposed a 12 month disqualification upon Mr McCarthy.

For further information on this matter contact:  
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In considering penalty Stewards were mindful of the following;

- The penalty submissions provided on behalf of Mr McCarthy;
- Mr McCarthy's involvement in the harness racing industry over a period of 44 years;
- Mr McCarthy having had in excess of 12000 starters with a large number of horses swabbed;
- Mr McCarthy's first prohibited substance offence;
- Class 1 Prohibited Substance;
- The levels of cobalt recorded;
- Mr McCarthy's guilty plea;
- The impact of a disqualification upon Mr McCarthy from a personal and financial perspective.

Acting under the provisions of AHRR 195, UNDER WORKED NZ was disqualified from the abovementioned race.

Mr McCarthy has been advised of his right to appeal these decisions.

Harness Racing NSW (HRNSW) is the controlling body for harness racing in New South Wales with responsibility for commercial and regulatory management of the industry including 33 racing clubs across the State. HRNSW is headed by an industry-appointed Board of Directors and is independent of Government.

INTEGRITY NOTICE

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