

MR NATHAN CARROLL - INQUIRY CONCLUDED

23 FEBRUARY 2022

On Wednesday 16 February 2022, Harness Racing New South Wales (HRNSW) Stewards concluded an Inquiry regarding an investigation in relation to the treatment of horses prior to racing by Mr Nathan Carroll.

In addition, the Inquiry related to the possession and supply of unregistered substances and/or prohibited substances.

Mr Carroll pleaded guilty to 35 charges issued by HRNSW Stewards pursuant to the Australian Harness Racing Rules as follows:

AHRR 193 (1) & (8) - 14 Charges

AHRR 193. (1) A person shall not attempt to stomach tube or stomach tube a horse nominated for a race or event within 48 hours of the commencement of the race or event.

(8) A person who fails to comply with sub-rules (1), (2), (3) or (7) is guilty of an offence.

AHRR 196B (1) & (4) - 12 Charges

AHRR 196B. (1) A person shall not without the permission of the Stewards within one (1) clear day of the commencement of a race administer, attempt to administer or cause to be administered an injection to a horse nominated for that race.

(4) A person who fails to comply with sub-rule (1) is guilty of an offence.

HRNSW Stewards did not issue a penalty in respect of one charge issued pursuant to this AHRR as it was issued in the alternative to another charge issued pursuant to AHRR 196A(1)(ii) & (2).

AHRR 196A(1)(ii) & (2) - 2 Charges

AHRR 196A.(1) A person shall not administer or cause to be administered to a horse any prohibited substance **(i)** for the purpose of affecting the performance or behaviour of a horse in a race or of preventing its starting in a race; or

(ii) which is detected in any sample taken from such horse prior to or following the running of any race.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

AHRR 194 - 1 Charge (as from 28 October 2013)

AHRR 194. A person who procures or attempts to procure or who has in his possession or on his premises or under his control any substance or preparation that has not been registered, labelled, prescribed, dispensed or obtained in compliance with relevant State and Commonwealth legislation is guilty of an offence.

AHRR 194 - 1 Charge (as from 21 October 2016)

AHRR 194. A person who procures or attempts to procure or who has in his possession or on his premises or under his control any substance or preparation that is not registered in accordance with either State or Commonwealth legislation is guilty of an offence.

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AHRR 240(b) - 2 Charges

AHRR 240. A person shall not, whether alone or in an association with others, do, permit or suffer anything before, during or after a race which in the opinion of the Stewards or Controlling Body:-

- (a) may cause someone to be:-
(i) unlawfully advantaged, or
(ii) unlawfully disadvantaged, or
(iii) penalised.
(b) is corrupt.
(c) is improper.

AHRR 230 - 1 Charge

AHRR 230. Except with the consent of the Controlling Body or Stewards a person shall not associate for purposes relating to the harness racing industry with a disqualified person or a person whose name appears in the current list of disqualifications published or adopted by a recognised harness racing authority.

AHRR 243 - 1 Charge

AHRR 243. A person employed, engaged or participating in the harness racing industry shall not behave in a way which is prejudicial or detrimental to the industry.

AHRR 259(1)(g) & (7) - 1 Charge

AHRR 259. (1) A disqualified person or a person whose name appears in the current list of disqualifications published or adopted by a recognised harness racing authority or a person warned off cannot do any of the following -

- (g) enter any premises used for the purposes of the harness racing industry;

In relation to this charge, HRNSW Stewards considered AHRR 259A as follows:

AHRR 259A. In addition to any penalty imposed pursuant to Rule 259(7) the original period of disqualification shall unless otherwise ordered by the Stewards automatically recommence in full.

Consequently, HRNSW Stewards ordered that the original period of disqualification to which Mr Carroll was subject be recommenced in full.

In relation to penalty for the remaining charges, HRNSW Stewards disqualified Mr Carroll for life from the harness racing industry.

In considering penalty HRNSW Stewards were mindful of the following;

- The extreme seriousness of the offences;
- The systematic nature of Mr Carroll's offending;
- The integrity of the harness racing industry;
- Mr Carroll's guilty pleas and remorse;
- Mr Carroll's personal subjective facts;
- Penalty submissions provided on behalf of Mr Carroll;
- HRNSW Penalty Guidelines;
- Mr Carroll's involvement in the harness racing industry, his licence history and offence record;

Mr Carroll was advised of his right to appeal and has initiated an Appeal in the NSW Racing Appeals Tribunal.

In addition, as a result of the offences for which Mr Carroll pleaded guilty, HRNSW Stewards have disqualified the following horses from their respective races:

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INTEGRITY NOTICE

THEKIDSCALLEDIT	Race 6 at Newcastle on Saturday 26 November 2016 Pursuant to AHRR 193(5).
TOSCA JACK	Race 1 at Maitland on Sunday 11 December 2016 Pursuant to AHRR 193(5) & AHRR 196B(3).
THEKIDSCALLEDIT	Race 7 at Maitland on Sunday 11 December 2016 Pursuant to AHRR 193(5).
TOSCA JACK	Race 5 at Newcastle on Saturday 24 December 2016 Pursuant to AHRR 193(5).
MAVRICK	Race 2 at Tamworth on Friday 27 January 2017 Pursuant to AHRR 193(5) & AHRR 196B(3).
DYNAMIC DEEJAY	Race 3 at Young on Tuesday 7 February 2017 Pursuant to AHRR 193(5) & AHRR 196B(3).
GUTS	Race 3 at Narrabri on Sunday 26 February 2017 Pursuant to AHRR 193(5) & AHRR 196B(3).
GUTS	Race 5 at Narrabri on Sunday 5 March 2017 Pursuant to AHRR 193(5) & AHRR 196B(3).
DEN HELDER	Race 3 at Dubbo on Wednesday 8 March 2017 Pursuant to AHRR 193(5) & AHRR 196B(3).
KISS THE AVIATOR	Race 7 at Dubbo on Wednesday 8 March 2017 Pursuant to AHRR 193(5) & AHRR 196B(3).
KISS THE AVIATOR	Race 4 at Wagga on Friday 24 March 2017 Pursuant to AHRR 196B(3).
DEN HELDER	Race 2 at Newcastle on Saturday 25 March 2017 Pursuant to AHRR 193(5) & AHRR 196B(3).
DEN HELDER	Race 2 at Young on Tuesday 11 April 2017 Pursuant to AHRR 193(5) & AHRR 196B(3).
WAKE UP QUINN	Race 8 at Parkes on Sunday 6 August 2017 Pursuant to AHRR 193(5) & AHRR 196B(3).
OUR GRASSHOPPER	Race 8 at Parkes on Sunday 6 August 2017 Pursuant to AHRR 193(5) & AHRR 196B(3).

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