

MR BRUCE FOX- INQUIRY CONCLUDED

31 MARCH 2022

Harness Racing New South Wales (HRNSW) Stewards have concluded an Inquiry into a report received from the Australian Racing Forensic Laboratory (ARFL) that Prilocaine and Lignocaine had been detected in the urine sample taken from the horse TARAMIN following its win in race 8, the SOMERSBY CIDER PACE (2125 metres) conducted at Penrith on Thursday 1 April 2021.

The 'B' sample was confirmed by Racing Analytical Services Limited (RASL) in Victoria.

Trainer Mr Bruce Fox and HRNSW Regulatory Veterinarian appeared at the Inquiry and provided evidence. The certificates of analysis issued by ARFL and RASL were also entered into evidence.

Mr Fox pleaded guilty to three (3) charges issued by HRNSW Stewards as follows:

Charge 1 - Issued pursuant to AHRR 190(1),(2) & (4)

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.*

Charge 2 - Issued pursuant to AHRR 196A(1)(ii) & (2)

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.*

Charge 3 - Pursuant to AHRR 190B(1)(b) & (6)

AHRR 190B. (1) *A trainer shall at all times keep and maintain a log book:-*

(a) listing all therapeutic substances in his or her possession;

(b) recording all details of treatment administered to any horse in his or her care and including as a minimum requirement:

(i) the name of the horse

(ii) the date and time of administration of the treatment

(iii) the name of the treatment (brand name of active constituent)

(iv) the route of administration

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- (v) *the amount given*
- (vi) *the name and signature of the person or persons administering and/or authorising treatment.*

(6) *A trainer who fails to comply with the provisions of sub-rule (1), (3), (4) or (5) is guilty of an offence.*

Consequently, HRNSW Stewards imposed the following penalties upon Mr Fox:

Charge 1 - Twelve (12) months disqualification to commence immediately.
Charge 2- Twelve (12) months disqualification to be served concurrent to penalty imposed for Charge 1.
Charge 3 - \$500 fine.

In considering penalty Stewards were mindful of the following;

- The submissions provided on behalf of Mr Fox;
- Mr Fox's involvement in the harness racing industry since early 1970's;
- Mr Fox's second prohibited substance offence;
- Class 3 Prohibited Substance;
- Mr Fox's guilty pleas;
- The circumstances in this matter;
- The impact of a disqualification upon Mr Fox from a personal, familial and financial perspective.

Acting under the provisions of AHHR 195, TARAMIN was disqualified from the abovementioned race.

Mr Fox was advised of his right to appeal these decisions.