

**Non Raceday Inquiry RIU v S R Wilson - Decision on Request for a Ruling dated 16 July 2020 - Chair, Mr P Knowles**

**Rules:**

**Repondent(s)/Other parties:**

**Name(s):**

**Decisions:**

**BEFORE A JUDICIAL COMMITTEE OF**

**THE JUDICIAL CONTROL AUTHORITY**

**UNDER THE RACING ACT 2003**

**AND IN THE MATTER** of the New Zealand Rules of Harness Racing

**BETWEEN RACING INTEGRITY UNIT (RIU)**

**Informant**

**AND MR STANLEY ROSS WILSON**

Licensed trainer

**Respondent**

**Information:** A4830

**Judicial Committee:** Mr P Knowles, Chairman

**Venue:** Ascot Park Raceway, Invercargill

**Present:** Mr P Meulenbroek, for the Informant

Mr SR Wilson, Respondent

**Date of Decision:** 16 July 2020

**DECISION OF JUDICIAL COMMITTEE**

[1] The Information alleged that on the 6th June 2020, S R Wilson, being the registered trainer of the Standardbred IDEAL ROBYN, which had been taken to the Invercargill HRC for the purpose of engaging in Race 11, the Fast Track Insurance Mobile Pace, failed to present the said horse free of prohibited substance, namely COBALT, with a level below 100 micrograms per litre of urine, in that the horse did return a level of 153 micrograms per litre of urine.

[2] The Information sought a Request for a Ruling in that IDEAL ROBYN was in breach of r 1004A (2) and the disqualification r 1004D (2).

[3] Rule 1004A (2) reads:

*A horse shall be presented for a race free of prohibited substances.*

Rule 1004D (2) reads:

*Any horse connected with a breach of the rule must be disqualified from the race and may in addition may be disqualified for a period not exceeding five years.*

[4] IDEAL ROBYN is a 3-year-old bay gelding owned and trained by Mr SR Wilson at Whiterig, Gore. As at 6th July 2020 IDEAL ROBYN had 4 race starts for no placings.

[5] IDEAL ROBYN was correctly entered and presented by Mr Wilson to race in Race 11 the "FAST TRACK INSURANCE MOBILE PACE 2200M" at the INVERCARGILL HRC meeting on 6th June 2020 at Ascot Park. The horse finished 7th. As a participant in the race the horse was eligible to receive \$200 that is to be paid to all place getters below 5th. The stakes money has not yet been paid out.

[6] IDEAL ROBYN was post-race swabbed and a urine sample was taken after it entered the swab box at 4.48pm in the presence of Mr Wilson. The sample was recorded with the swab card number 154790. Mr Wilson did not contest the sample nor express any concern at how this was done.

[7] On the 24th June 2020 Eurofins ELS Limited laboratory in Wellington supplied an Analytical Report Result which showed the Urine Sample 154790 had returned a COBALT result of 168 micrograms per litre (mg/l) of urine on the 16 June 2020. A subsequent re-test carried out on 17 June 2020 by ESL returned a reading of 162 mg/l.

[8] On 29 June 2020 Racing Analytical Services Limited (RASL), an accredited laboratory in Victoria, Australia sent a Certificate of Analysis for sample 154790 that showed a result of 153 micrograms of COBALT per litre of urine.

[9] These results are a breach of the Prohibited Substance Regulations contained in paragraph 4.11 of the New Zealand Rules of Harness Racing 2019 which specify that COBALT is only permitted when presented at or below 100 micrograms per litre.

[10] On 1 July 2020 RIU Investigators visited the training stables of Mr Wilson. He was advised of the positive swab result and given a copy of RIU Sample Identity Card 154790, along with copies of the ESL laboratory results report.

[11] Mr Wilson was advised of his right to have the B sample re-tested but elected not to have this done, stating that he trusted the results would not be significantly different.

[12] An inspection of the stable area revealed several food sources including McMillans Premium Plus Feed Mix, Formula 5 Mineral chelates, and Ironcyclen iron supplement.

[13] Samples were obtained from these along with some soil samples from the paddock in which IDEAL ROBYN had been kept and sent away to NZ Racing Laboratory for further analysis.

[14] In explanation Mr Wilson offered that it must have been the result of the horse licking and ingesting COBALT from the soil, which had less soluble cobalt fertiliser applied some three years prior. He said he couldn't think of any other way in which the results could have been obtained.

[15] A further urine sample was obtained from IDEAL ROBYN on 2 July and sent away for cobalt analysis. That resulted in a reading of 5.7 mg/l.

[16] On the 13 July 2020 Mr Wilson agreed to the disqualification of IDEAL ROBYN as being necessary.

[17] Mr Wilson has been fully cooperative to date.

[18] Mr Wilson accepted the summary of facts and had nothing further to add.

[19] Three separate laboratory tests all recorded a level above the 100mg/l cobalt level. Mr Wilson accepted the summary of facts and could not offer any explanation as to why the reading was high.

[20] The request for a ruling is upheld.

[21] IDEAL ROBYN is disqualified from its 7th placing. Any finishing money is to be adjusted accordingly.

## **P Knowles**

Chairman

16 July 2020

## **Penalty:**