

Stewards' Report

Stewards Report: Rochelle Smith – Honest Natalie

Date: 27 February 2018

Panel: D Aurisch, M Knibbs & N Boyle

Queensland Racing Integrity Commission (QRIC) Stewards today concluded an inquiry into a report from analysts' that the prohibited substance COBALT was detected in a urine sample taken from HONEST NATALIE at the Sunshine Coast on 24 September 2017.

On 24 January 2018, evidence was taken from trainer Mrs Rochelle Smith and her legal representative Mr Matthew Tutt. Mrs Smith also relied upon telephonic evidence provided by Professor Paul Chapman regarding specific gravity of urine (USG) and the effect it has on cobalt readings. Evidence was also taken from Dr Karen Caldwell the Acting Manager Veterinary Services at the QRIC Racing Science Centre and Samantha Nelis the Acting Manager Analytical Services at the QRIC Racing Science Centre.

After considering all of the evidence, Mrs Smith was issued with a charge pursuant to AR 178 which states:

Subject to AR178G, when any horse that has been brought to a racecourse for the purpose of engaging in a race and a prohibited substance is detected in any sample taken from it prior to or following its running in any race, the trainer and any other person who was in charge of such horse at any relevant time may be penalised.

The specifics of the charge being that as the trainer of HONEST NATALIE, which was brought to the Sunshine Coast on 24 September 2017, for the purpose of engaging in the F&M Maiden Handicap 1000 metres and a pre-race urine sample taken from the filly was found to contain a prohibited substance, namely COBALT.

Mrs Smith pleaded not guilty to the charge and Mr Tutt made submissions in response, specifically the evidence given by Professor Chapman regarding the USG and the effect that dehydration can have on cobalt readings.

When considering the USG submissions by Professor Chapman, the Stewards were of the view that evidence given by Dr Caldwell and Ms Nelis was pertinent in that the process by which the threshold (100ug/L) was established took account of variations in specific gravity and as a result it is not then appropriate to apply an estimate of the specific gravity of a particular sample onto the application of the threshold.

Nothing in the evidence before the panel persuaded them that the findings of the accredited laboratories do not reflect a true and accurate reading of the amount of cobalt in the urine taken from HONEST NATALIE. As the Stewards were comfortably satisfied that the amount of cobalt in the horse's urine is accurately stated in the certified findings of the accredited laboratories, Mrs Smith was formally found guilty of the charge.

Mrs Smith and Mr Tutt then made detailed submissions regarding the matter of penalty.

When considering an appropriate penalty the Stewards were of the opinion that the following factors were relevant:

1. Mrs Smith had a previous penalty for a breach of the same rule (different substance) in 2013.
2. Nature of the substance (Cobalt) and the potential to compromise the health and welfare of HONEST NATALIE.
3. AR.178 places absolute and strict liability on the trainer to present horses to race free of prohibited substances.
4. The negative impact to the image of thoroughbred racing and the potential to undermine the integrity of the sport.
5. The level of cobalt detected in the sample taken from HONEST NATALIE (111ug/L & 122ug/L)
6. Mrs Smith's personal circumstances outlined in the inquiry.
7. Need for a penalty to serve as both a specific deterrent to Mrs Smith, and a general deterrent to the wider industry to illustrate that breaches of this kind will result in the imposition of a significant penalty.

After considering all of the above-mentioned points, it is the decision of the Stewards that Mrs Smith be disqualified for a period of twelve (12) months.

The disqualification will take effect immediately and expire on 27 February 2019.

Furthermore, under the provisions of AR 177 HONEST NATALIE is disqualified from race 4 on the above-mentioned date.

Mrs Smith was made aware of her rights to an internal review.