

Stewards' Report

Stewards Report: John Pointon

Date: 14 June 2018

Panel: Mr L Collins, J Williamson and M. Heath

On 25 January 2018, Queensland Racing Integrity Commission (QRIC) Stewards issued Mr John Pointon with a breach Local Rule of Racing 118, which reads;

Where a horse is brought to a racecourse or recognised training track to engage in an official trial and a prohibited substance is detected in any sample taken from it either prior to or following the official trial, the trainer or any other person who was in charge of the horse at the relevant time may be penalised.

The specifics of this charge were that, when Raunchy Woman which Mr Pointon was the trainer, was on Friday 27 October 2017 brought to Callaghan Park racecourse Rockhampton, and a urine sample taken following its official barrier trial was found to contain a prohibited substance under AR 178C (1)(l) namely cobalt above the threshold of 100 micrograms per litre.

On Monday, 14 May 2018, QRIC Stewards opened an inquiry after a report from the Racing Science Centre reported cobalt was present.

Mr Pointon pleaded not guilty to the charge.

Stewards adjourned this inquiry to make further enquiries.

At the reconvened inquiry on Thursday 14 June 2018, Mr Pointon provided additional evidence and submissions and further evidence was heard from Dr Karen Caldwell, Acting Manager Veterinary Services for the Racing Science Centre.

After considering all of the evidence and submissions, Stewards found Mr Pointon guilty of the charge.

The reasons for finding;

- Strict liability imposed on the trainer to present racehorses free of prohibited substances under the Rules.
- Stewards relied upon the certificates from two accredited laboratories that cobalt was found in the specified horse at 137 µg/l and 131 µg/l respectively when a sample was taken from it at the Rockhampton Jockey Club barrier trials on Friday 27 October, 2017.
- No direct evidence was before the Stewards to prove or establish the horse consumed the amount of water as stated (160-200 litre a day)
- The Stewards do not consider that feed or water contamination resulted in the sample from Raunchy Woman containing cobalt above the threshold of 100 µg/l
- Further, Stewards were satisfied as to the integrity of the sample collection process. There was no evidence to suggest cobalt was introduced into the horse or sample. Stewards relied on the tested evidence of Mrs Z Newman and also Dr K Caldwell.
- Further reasons were made as to the sampling and testing procedures.

Mr Pointon was provided with the opportunity to make submissions about any penalty that may be imposed.

In determining penalty, Stewards considered the following;

- The circumstances and nature of the offence;
- his plea of not guilty;
- the length of time Mr Pointon had been involved in racing;
- his good record over this period of time;
- that Mr Pointon derived income from racing;
- the number of horses in work ;
- personal financial circumstances; and
- this matter occurred in a barrier trial without prizemoney or wagering.

Stewards suspended Mr Pointon's licence to train for six (6) months to commence from 14 June, 2018 and expire on 14 December, 2018.

Mr Pointon was advised of his rights of appeal.