

Stewards' Report

Stewards Report: Kelly Doughty – Blue Book

Date: 22 October 2018

Panel: I Brown, D Aurisch & B Connell

Queensland Racing Integrity Commission (QRIC) Stewards today concluded an inquiry into reports from the QRIC Racing Science Centre (RSC) and the Racing Analytical Services Limited (RASL) that the prohibited substance Cobalt was detected in a urine sample taken from Blue Book at Doomben on Saturday 11 November 2017.

Mrs Kelly Doughty as the trainer of Blue Book was issued two charges under the following Australian Rules of Racing:

Charge 1 AR 175 (h)(ii) which states:

The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise:

Any person who administers, or causes to be administered, to a horse any prohibited substance –

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

The specifics being:

Mrs Kelly Doughty, as the trainer of the thoroughbred, Blue Book, did administer or cause to be administered a prohibited substance, namely cobalt above the permitted threshold, as detected in the urine sample taken from Blue Book at Doomben on 11 November 2017.

Charge 2 - AR 178 which states:

Subject to AR 178G, 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 being:

Mrs Kelly Doughty, as the trainer of the thoroughbred, Blue Book, did present that horse to race at Doomben on 11 November 2017 when a sample taken from it, upon analysis, was found to contain a prohibited substance, namely Cobalt in excess of the prescribed threshold.

Mrs Doughty subsequently pleaded not guilty to both charges and made submissions that the presence of inorganic compared to organic compounds of Cobalt should be determined, as the presence of organic compounds would not constitute a prohibited substance. Furthermore, the urine specific gravity (USG) of the urine sample should be determined

particularly in cases involving animals in a state of dehydration, as it is possible that the results of analysis could be adversely effected by the level of USG.

Stewards were unable to identify any specific evidence in support of Charge 1 and subsequently found Mrs Doughty not guilty of that charge.

However, Stewards were of the view that any requirement to differentiate between organic and inorganic compounds was irrelevant as once the level exceeded the excepted threshold the presence of Cobalt was determined to be a prohibited substance under AR 178C (1)(l). The Stewards also relied on evidence from Dr Karen Caldwell (Racing Science Centre) that if any sample exceeded the excepted threshold of 100 ug/L containing mainly organic compounds of Cobalt, then it was indicative of significant over-supplementation of the animal and/or administration within the timeframes preventing treatment of horses prior to racing. Furthermore, Stewards relied upon the Racing Science Centre's statistical data of samples containing Cobalt levels, which states that 14,296 samples taken from racing animals, in various states of hydration and supplementation, between May 2015 and February 2018 revealed a mean of only 8.52 ug/L to rebut the submission relating to Urine Specific Gravity. Stewards subsequently found Mrs Doughty guilty of Charge 2.

When assessing an appropriate penalty, the Stewards took into account Mrs Doughty's personal circumstances, which included in excess of 20 years as a licensed trainer. Stewards also considered Mrs Doughty's previous breach under this rule in 2012 and relevant penalty precedents. Stewards were also mindful of the detrimental effect such breaches have on the integrity of the industry and the requirement for any penalty to serve as an adequate deterrent to ensure racing is conducted free of prohibited substances.

Mrs Doughty was subsequently disqualified for 12 months, which will expire 22 October 2019. Mrs Doughty was advised of the impositions of a disqualified person under AR 182 and advised of certain conditions that would be imposed to prevent any perception that she would be party to the training operation of her husband, Gary Doughty, whilst serving her disqualification.

Whilst the disqualification takes effect immediately, Stewards allowed Mrs Doughty a period of seven days to make alternative arrangements for the horses currently under her care during which she would be allowed to feed, water and walk those horses.

Under the provisions of AR 177, Blue Book was disqualified from its win in Race 1 at Doomben on Saturday 11 November 2017, and the placings amended as follows:

- 1st Grim Reaper
- 2nd Rains Aplenty
- 3rd Fish 'n' Snitz
- 4th Dream Serenade
- 5th Mishani Roman

Stewards advised Mrs Doughty of her right to an internal review.

This inquiry was commenced on 30 January 2018 however, was delayed due to the unavailability of expert witnesses and to allow for detailed written submissions.