7 July 2022

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**BILL WHITE**

**Date of hearing:** 4 July 2022

**Panel:** Judge Graeme Hicks (Deputy Chairperson) and Judge Kathryn Kings.

**Appearances:** Mr Andrew Cusumano appeared on behalf of the Stewards.

Mr Ian White represented Mr Bill White.

**Charge:** Australian Harness Racing Rule (“AHRR”) 190(1) states:

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

**Particulars of charge:** 1. At all relevant times, you were a licensed trainer with HRV and a person bound by the Australian Harness Racing Rules;

2. At the relevant time you were the trainer of “Im Miss Royalty”;

3.On 17 January 2022, the horse Im Miss Royalty was presented to race at the Charlton harness racing meeting in Race 9, the ‘Harvest End Trot’;

4. Following Race 9, a urine sample was collected from Im Miss Royalty with subsequent analysis of that sample revealing an arsenic concentration of 0.37ug/mL, being in excess of the allowable threshold;

5. As the trainer of Im Miss Royalty on 17 January 2022, you presented that horse to race in the ‘Harvest End Trot’ at Charlton not free of arsenic, a prohibited substance when present at a concentration in excess of 0.30 micrograms per millilitre in urine.

**Plea:** Guilty

**DECISION**

Mr Bill White, you have pleaded guilty to presenting your horse, “Im Miss Royalty”, at the Charlton harness racing meeting held on 17 January 2022, in Race 9, when it was not free of a prohibited substance, namely arsenic. Arsenic is a substance that can affect the performance of a racehorse.

On Tuesday, 15 February 2022, Harness Racing Victoria (“HRV”) Investigative Stewards conducted an audio recorded telephone interview with you. You informed the Stewards that you had not treated your horse with any products that contained arsenic. However, you did inform Stewards that your horse may have chewed a wooden fence post in a spelling paddock located on your property.

Analysis of the wooden fence post disclosed the presence of arsenic.

Trainers in the harness racing industry have been informed on several occasions of the dangers of their horse being stabled or located near any treated wooden fence posts or railings.

The principal of general deterrence has a part to play in arriving at an appropriate penalty. In the circumstances of this case, specific deterrence has little or no part to play. It is vital that harness horses race on a level playing field without prohibited substances in their system.

Turning to your personal circumstances. You are 87 years of age and have been in the harness racing industry for nearly 70 years. Over that period of time, you have not committed any offences. On any view it is an exceptional record. You are an aged pensioner and also carer. You have been a hobby trainer for a significant part of your life. You have taken steps to ensure this issue will not arise again by placing chicken wire over the relevant posts where your horse may be situated.

We have taken into account your personal circumstances and history within the harness racing industry, together with your plea of guilty and cooperation with the Stewards.

In all the circumstances, we impose a fine of $2,000 with $1,750 suspended for a period of 12 months.

We order that Im Miss Royalty be disqualified from Race 9 at the harness race meeting held at Charlton on 17 January 2022 and that the finishing order be amended accordingly.

Mark Howard
Registrar, Victorian Racing Tribunal