10 August 2021

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**GREG NORMAN**

**Date of hearing:** 13 July 2021

**Panel:** Magistrate John Doherty (Deputy Chairperson) and Judge Marilyn Harbison.

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

Mr Greg Norman represented himself.

**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 Harness Racing Victoria (“HRV”) and a person bound by the Australian Harness Racing Rules;

2. At all relevant times, you were the registered trainer of the horse “Blue Coman NZ”;

3. On 24 November 2020, “Blue Coman NZ” was presented to race at the Bendigo harness racing meeting in Race 9, the “Result Financial Services Trotters Handicap”;

4. Following Race 9, the ‘Result Financial Services Trotters Handicap’, a urine sample was collected from “Blue Coman NZ” with subsequent analysis of that sample revealing the presence of dexamethasone;

5. As the trainer of “Blue Coman NZ” on 24 November 2020, you presented that horse to race in the “Result Financial Services Trotters Handicap” at Bendigo not free of the prohibited substance dexamethasone.

**Plea:** Guilty

**DECISION**

Mr Greg Norman has pleaded guilty to one charge of breaching Australian Harness Racing Rule (“AHRR”) 190(1). It states that “a horse shall be presented for a race free of prohibited substances”.

Specifically, Mr Norman is a grade A trainer and presented the horse “Blue Coman” to race at Bendigo on 24 November 2020, where it competed in and won Race 9. Subsequently, a post-race urine sample taken from Blue Coman at about 11pm on that day returned a positive result for the presence of dexamethasone, a prohibited substance. The reserve sample also proved positive.

At an interview with Harness Racing Victoria (“HRV”) Stewards on 31 December 2020, Mr Norman stated that the horse had veterinary treatment at the Bendigo Equine Hospital in the period leading up to the race and provided the dates of the treatment from his records. He did not know what treatment had been given. Mr Norman had been advised of a withholding period at the time, which he had marked on his calendar. Mr Norman stated that he did not inject his horses and had no other explanation for the positive sample.

Subsequent samples taken from Blue Coman in January and February 2021 returned negative results for dexamethasone.

Dexamethasone is a synthetic adrenal glucocorticosteroid with strong anti-inflammatory and immunosuppressive properties. Prior to Blue Coman racing on 24 November 2020, the horse had been administered dexamethasone to the sacroiliac region. The horse also had both mid-carpal joints injected with triamolone on 12 November 2020.

Recommended drug withholding periods are a guide only. Detection times are not accurate and are extremely variable. Dr Sarah Jalim, a registered specialist in equine surgery, had recommended a three week withhold to Mr Norman for dexamethasone and seven days for triamolone.

Dr Richard Cust, veterinary consultant for HRV, has reported that added variability in terms of detection occurs when a mixture of drugs is used and, in his opinion, racing within three weeks of treatment with dexamethasone is very risky. The additional administration of triamolone may prolong the elimination and therefore, the detection time for these drugs. In Dr Cust’s opinion, the most likely cause of Blue Coman racing while not being drug free is that not enough time was allowed for the complete elimination of the administered drugs.

The offence which Mr Norman has pleaded guilty to is a serious offence. Considerations of general deterrence are relevant in terms of penalty, as well as welfare considerations for the horse, and protecting the integrity of harness racing and its participants, including the betting public. On the other hand, it is difficult to envisage what else Mr Norman could have done. He relied and acted on the advice of a specialist veterinarian and, subsequent to the positive swab, twice elected to have Blue Coman swabbed. Both samples returned a negative result.

This case is very similar to the case of Ms Heather Morrisey, heard by the Racing Appeals and Disciplinary Board (“RADB”) in 2018, although Mr Norman had over 40 years experience in the racing industry, as opposed to Ms Morrisey’s 18 years. Mr Norman is a grade A trainer and derives his sole income from training. He has an excellent record and has never faced a prohibited substance charge previously.

In our opinion, a fine would be appropriate. We fix the fine at $5,000, with $4,000 to be suspended for 12 months, pending no further breaches of AHRR 190.

In addition, we order that Blue Coman be disqualified from first placing in the subject race and prizemoney be forfeited to HRV.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal