31 May 2021

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**REECE MOORE**

**Date of hearing:** 7 May 2021

**Panel:** Justice Shane Marshall (Deputy Chairperson) and Judge Julie Nicholson.

**Appearances:** Mr Neal Conder appeared on behalf of the Stewards.

Mr Lance Justice represented Mr Reece Moore.

**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. On 31 July 2020, the horse “Artegra” was presented to race at the Mildura harness racing meeting in Race 4, the “Tenderprint Australia Pace Final”;

2. At the relevant time you were the trainer of “Artegra”;

 3. Following Race 4, the “Tenderprint Australia Pace Final”, a urine sample was collected from “Artegra” with subsequent analysis of that sample revealing the presence of Capasicin and Dihydrocapsaicin;

 4. As the trainer of “Artegra” on 31 July 2020, you presented that horse to race in the “Tenderprint Australia Pace Final” at Mildura not free of the prohibited substance Capasicin and Dihydrocapsaicin.

**Plea:** Guilty

**DECISION**

1. Stewards of Harness Racing Victoria (“HRV”) have charged Mr Reece Moore under Australian Harness Racing Rule (“AHRR”) 190(1) with presenting a horse for a race while not free of a prohibited substance.
2. Mr Moore was at all material times the trainer of “Artegra”. Artegra competed in Race 4 at Mildura on 31 July 2020. A sample of urine taken from the horse showed the presence of the prohibited substances Capasicin and Dihydrocapsaicin. Mr Moore has pleaded guilty to the charge.
3. The prohibited substances in question can provide pain relief and are used to deflate joint swelling, but more commonly to prevent chewing of wood and tails.
4. Mr Moore, when interviewed by an HRV Investigative Steward, was at a loss to explain the positive swab. He did say that he had no security at his stables. Mr Moore has not been the subject of any previous charges under Rule 190(1). He has been training for seven years with a small team of horses and training from community stables, where it is possible that Artegra may have picked up the prohibited drug from someone in that community using it.
5. In setting a penalty, we take into account general deterrence and, to a lesser extent in this case, specific deterrence. We also take into account the importance of keeping a level playing field by maintaining a drug free industry. Further, we take into account that Mr Moore entered a guilty plea at the earliest opportunity.
6. In all the circumstances, consistently with recent penalties in like matters, we impose a fine of $3,000 with $1,500 suspended pending no further breach of Rule 190(1) in the next 12 months. In addition, Artegra, pursuant to Rule 195, is disqualified from Race 4 at Mildura on 31 July 2020.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal