8 December 2023

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**COURTNEY SLATER**

**Date of hearing:** 29 November 2023

**Panel:** Judge Kathryn Kings (Deputy Chairperson) and Ms Heidi Keighran.

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

Ms Courtney Slater represented herself.

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

 (1) 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 and driver with HRV and a person bound by the Australian Harness Racing Rules;

2. At the relevant time you were the trainer of Luva Scrap;

3. On 27 December 2022, the horse Luva Scrap was presented to race at the Shepparton harness racing meeting in Race 2, the ‘Alabar 2YO Maiden Pace’;

4. Following Race 2, a urine sample was collected from Luva Scrap with subsequent analysis of that sample revealing an arsenic concentration in excess of the allowable threshold;

5. As the trainer of Luva Scrap on 27 December 2022, you presented that horse to race in the ‘Alabar 2YO Maiden Pace’ at Shepparton 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**

Ms Courtney Slater is a registered Grade A trainer and driver who has been in the industry since 1995. She was the trainer of Luva Scrap, which ran at Shepparton on 27 December 2022. It was Race 2 the “Alabar 2yo Maiden Pace”, which race it won.

On 27 December 2022, Ms Slater presented Luva Scrap in the event not free of any prohibited substance, given that a post-race sample of urine which was taken proved positive to arsenic above the prohibited threshold. Ms Slater was charged with a breach of Australasian Harness Racing Rule 190(1), which states that a horse shall be presented for a race free of a prohibited substance.

Ms Slater pleaded guilty at an early stage and has co-operated fully with the Stewards. In imposing a penalty, we take into account her guilty plea and the importance of specific and general deterrence. We also take into account the importance of maintaining a level playing field by having a drug free industry. Further, we take into consideration recent penalties in like matters.

While Ms Slater has a record of prior charge, since that time she and her partner have purchased a new property with improved facilities with the expectation of reducing the likelihood of exposure to structures which contain arsenic.

In all the circumstances, we impose a penalty of $3,000, of which $1,500 is fully suspended for 12 months pending no like offences. Additionally, Luva Scrap is disqualified from Race 2 at Shepparton on 22 December 2022 and the finishing order is amended accordingly.

Mark Howard

Registrar, Victorian Racing Tribunal