3 October 2024

**DECISION**

**RACING VICTORIA**

**and**

**CLINTON McDONALD**

**Date of hearing:** 17 September 2024

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**Panel:** Judge Kathryn Kings (Deputy Chairperson) and Mr Des Gleeson.

**Appearances:** Mr Scott Hunter appeared on behalf of the Stewards.

Mr Clinton McDonald represented himself.

**Charge:** Australian Rule of Racing (“AR”) 240(2) states:

(2) Subject to subrule (3), if a horse is brought to a racecourse for the purpose of participating in a race and a prohibited substance on Prohibited List A and/or Prohibited List B is detected in a sample taken from the horse prior to or following its running in any race, the trainer and any other person who was in charge of the horse at any relevant time breaches these Australian Rules.

**Particulars:** 1. You are, and were at all relevant times, a trainer licensed by Racing Victoria and a person bound by the Rules of Racing.

2. You were, at all relevant times, the trainer of ‘Flying On A Limb’ (the Horse).

3. On 25 April 2024, the Horse was brought to the Flemington Racecourse and was engaged to race in Race 8, Auckland Thoroughbred Racing Inc. Trophy, over 1100 metres (the Race).

4. On 25 April 2024, prior to the Race, a blood sample (V696120) was taken from the Horse (the Sample).

5. An analysis of the Sample detected the presence of Triamcinolone Acetonide.

6. Triamcinolone Acetonide is a prohibited substances pursuant to Division 1 of Part 2 of Schedule 1 (Prohibited list B) of the Australian Rules of Racing.

**Plea:** Guilty

**DECISION**

Mr Clinton McDonald has been charged with one offence pursuant to Australian Rule of Racing (“AR”) 240(2).

Mr McDonald was, at all relevant times, a trainer licensed by Racing Victoria. He is the trainer of the horse, “Flying On A Limb”. Mr McDonald presented the horse to compete in Race 8 at Flemington on 25 April 2024. A pre-race blood sample taken from the horse detected the presence of triamcinolone acetonide.

Triamcinolone acetonide is a prohibited substance pursuant to Division 1 of Part 2 of Schedule 1 (Prohibited List B).

The most likely cause of the positive sample was injections into the knees and/or stifles administered by Dr Bill Koutsourakis, Veterinarian. The evidence is that on 11 April 2024, 20 milligrams (“mg”) of Kenacort was administered to each stifle and on 16 April 2024, 10 mg of Kenacort was administered to each knee with Toradol. Dr Koutsourakis could offer no explanation for the presence of triamcinolone acetonide considering the time frames of when the substance had been administered. There is a possibility of the substance getting into the fat pad when injecting into the stifle joints. We accept this as an explanation for the positive sample.

In setting a penalty, we take into account Mr McDonald’s past history of offences under this Rule. However, we note that most of his history relates back to the early 2000’s, other than an incident in 2015. Mr McDonald now employs the services of a registered veterinarian and is guided this veterinarian, as well as the industry guidelines. We also take into account general and specific deterrence and the importance of maintaining a level playing field by having a drug free industry. We further take into account penalties in like matters and the submissions of the Stewards in relation to penalty.

In all the circumstances, we impose a penalty of a fine of $5,000.

In addition, Flying On A Limb is disqualified from Race 8 at Flemington on 25 April 2024 and the finishing order is amended accordingly.

Kathleen Scully

Assistant Registrar, Victorian Racing Tribunal