29 November 2024

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**RAHARNA McDONALD**

**Date of hearing:** 26 November 2024

**Date of decision:** 26 November 2024

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

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

Ms Raharna McDonald represented herself.

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

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

**Particulars:** 1. At all relevant times, you were a licensed trainer with HRV, and a person bound by the AHRR;

2. At all relevant times, you were the trainer of the horse “The Boost”;

3. On 6 November 2023, The Boost was presented to trial at the Mildura trial meeting in Trial 3;

4. Prior to Trial 3, a urine sample was collected from The Boost with subsequent analysis of that sample revealing the presence of Frusemide;

5. As the trainer of The Boost on 6 November 2023, you presented that horse for a race, being Trial 3 at the Mildura trial meeting, not free of the prohibited substance Frusemide.

**Plea:** Guilty

**DECISION**

Ms Raharna Mc Donald is a licensed trainer with Harness at Racing Victoria (“HRV”) and bound by the Australian Harness Racing Rules (“AHRR”). She has been licensed for many years, with a period from 2017 to 2023 when she was out of the industry. She is the trainer of the horse “The Boost”. The Boost was nominated to compete in Trial 3 at Mildura on 6 November 2023. On 6 November 2023, The Boost was presented at the event not free of any prohibited substance, given that a pre-trial sample of urine was taken from it at the trial and frusemide was detected in the sample.

Ms McDonald was charged with a presentation offence pursuant to AHRR 190(1) on account of presenting The Boost for a race while not free of a prohibited substance.

Ms McDonald has pleaded guilty to the charge.

Ms McDonald’s evidence was that she is a dual trainer, meaning she was licensed as a trainer with HRV and Racing Victoria Limited (“RVL”) and therefore was training both standardbred and thoroughbred horses on her property. She uses frusemide for the bleeders – that is, for the horses that bleed from the lungs after exercise. She has three bleeders on the property which were thoroughbred horses and obtained frusemide from her veterinarian, Dr Megan Ginifer. The Boost had never shown signs of bleeding. On the day of the trial, The Boost was stabled next to the thoroughbred horse, “Leaf”, which was intravenously administered frusemide. She did not think that there was a chance of cross contamination between The Boost and Leaf because she was sure that frusemide had to be injected. She did not think that her stablehand for the thoroughbred horses who administered frusemide to Leaf would have mixed up the horses and injected The Boost instead of Leaf.

The Stewards conducted a stable inspection. The logbook recorded that The Boost had not been administered frusemide. Leaf was administered 8ml of frusemide intravenously at 3.00pm on the day of the trial.

By letter dated 30 January 2024, HRV was notified by Racing Analytical Services (“RASL”) that Australian Racing Forensic Laboratory (“ARFL”) had competed its analysis which confirmed the presence of frusemide. Frusemide is a diuretic and a prohibited substance under the AHRRs when detected in a horse that is presented to race.

We accept that the likely explanation is that frusemide was administered to The Boost inadvertently. That is the likely explanation for the positive finding.

In imposing a penalty, we take into account Ms McDonald’s guilty plea, her cooperation with the Stewards, her record and the importance of specific and general deterrence. We also acknowledge the importance of maintaining a level playing field by having a drug free industry. We take into account penalties in like matters.

We accept the submissions of the Stewards in relation to penalty. In all the circumstances, we impose a penalty of a fine of $3,000 with $1,500 suspended for 12 months pending no further relevant offences during that time.

In addition, The Boost is disqualified from Trial 3 at Mildura on 6 November 2023 and the finishing order is amended accordingly.

Kathleen Scully

Assistant Registrar, Victorian Racing Tribunal