28 July 2025

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**STEVEN LOFTUS**

**Date of hearing:** 8 July 2025

**Date of decision:** 8 July 2025

**Panel:** His Honour John Bowman (Chairperson) and Ms Judy Bourke.

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

Mr Steven Loftus represented himself.

**Charges and Particulars:**

**Charge No. 1.**

Australian Harness Racing Rules (AHRR): 190(1) reads as follows:

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

**The particulars of the charge being:**

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 all relevant times, you were the trainer of the horse *Ghost Of Time*;
3. On 17 August 2024, *Ghost Of Time* was presented for, and competed in, Race 5 at the Melton harness racing meeting, the “Beraldo Coffee Pace” (**the Race**)
4. Following the Race, a urine sample was collected from *Ghost Of Time* with subsequent analysis of that sample revealing the presence of salbutamol;
5. As the trainer of *Ghost Of Time* on 17 August 2024, you presented that horse for the Race not free of the prohibited substance salbutamol.

**Charge No. 2.**

AHRR 190B(1)(b) reads as follows:

*(1)* *A trainer shall at all times keep and maintain a log book:-*

*…*

*(b)*  *recording all details of treatment administered to any horse*
*in his or her care and including as a minimum requirement:*

*(i)* *the name of the horse*

*(ii)* *the date and time of administration of the treatment*

*(iii)* *the name of the treatment (brand name of active constituent)*

*(iv)* *the route of administration*

*(v)* *the amount given*

*(vi)* *the name and signature of the person or persons*
*administering and/or authorising the treatment.*

 **The particulars of the charge being:**

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. On or around 13 August 2024, you administered injections of “Arthropen” and “Metacam”, to *Ghost Of Time* (**the Treatments**), being a horse in your care;
3. The Treatments were not recorded in a log book.
4. You have failed to keep and maintain a log book recording all details of treatment administered to horses in your care.

  **Plea:** Guilty

**DECISION**

Mr Steven Loftus, you are pleading guilty to two Charges.

The first Charge is a breach of AHRR 190(1) – the presentation of a horse not free of a prohibited substance.

The horse in question is Ghost of Time which competed in Race 4 at Melton on 17 August 2024 and indeed won that race. A post-race urine swab proved positive to the prohibited substance, salbutamol.

Salbutamol is an over-the-counter medication for human consumption and is available at Chemists. Both you and your wife were taking Salbutamol at the relevant time. We note the letters which you have provided, these being from your treating general practitioner, Dr Al Kaisey. We accept this as being the probable source of the positive swabs and indeed Mr Cusumano, on behalf of the Stewards, was not putting any contrary proposition.

You have been in the industry for in excess of thirty years and have spent the vast majority of that time in Victoria. Harness Racing has always been your only employment. You have an excellent record, with no relevant prior offence alleged. You are a licensed trainer and driver, and the offences for which are on your record are essentially what could be described as traffic offences. As stated, we regard your record as excellent.

With your wife, you now conduct a business associated with sulky construction and the like. That is successful and is your principal source of income. There are training facilities, including a track, on your premises, but now have only a couple of horses in work. You also do work at the Ballarat Harness Racing track on a part-time basis.

As stated, you are pleading guilty to this offence and have done so from the outset. Obviously you have co-operated fully with the Stewards.

When this is combined with your excellent record, we agree with the Stewards that a financial penalty is appropriate and that part of such financial penalty should be suspended.

Given the circumstances of the case and that excellent record, we are of the view that the appropriate penalty is a fine of $2,500, but with $1,250 of that suspended for a period of 12 months. That will only be activated if you commit a relevant offence during that period.

In relation to Charge 2, we accept that, as mentioned by you and your wife, you had become a little lax in relation to record keeping. You may have been distracted by your other work.

The keeping of relevant records is very important and plays a significant role in the work of the Stewards.

We accept that there was a temporary lapse in your record keeping and that you have remedied the situation.

Mr Cusumano suggested a fine of $250 and we agree with that.

Thus, the total penalty is a fine of $1,500 with a suspended fine of $1,250 hanging over you for the next twelve months. We are confident that there will be no further relevant offence and that such suspended fine will not be activated.

Finally, Ghost of Time is disqualified from Race 5 at Melton on 17 August 2024 and the finishing order is amended accordingly.

Mark Howard

Registrar, Victorian Racing Tribunal