

STEWARDS INQUIRY DECISION

Date of Decision: 28.05.2020

Stewards Panel: M Hoyle (Chairman), L Lord, H Edgecombe

Name: Scott Fenton

Track/Race: Race 10: Spiritual Man 2011 Maiden, 340 Metres - HGRC

Date of Race: 30.01.2020

Rule no: GAR83(2)(a) & GAR 84A(1)

Charge(s): **The particulars of Charge 1 were:**

Mr. Scott Fenton, the trainer of ADA MITCHELL, presented that greyhound to compete in Race 10 at the Hobart Greyhound Racing Club on Thursday 30th January 2020, the SPIRITUAL MAN 2011 Maiden over 340 metres. A pre-race sample was taken from Ada Mitchell and upon analysis, was found to contain Arsenic above the allowable threshold of 800ng/mL, being 1,593ng/mL.

The particulars of Charge 2 were:

Mr. Fenton failed to keep a compliant treatment logbook when requested to be viewed by Stewards at a kennel inspection on 24th February 2020.

Prohibited Substance: ARSENIC

Inquiry Decision: Mr. Fenton was fined the sum of \$1,000 and his licence suspended for a period of 10 weeks for the breach of GAR83(2)(a).

Mr. Fenton was fined the sum of \$200 for the breach of GAR84A(1).

FACTS: Arsenic above the permitted threshold has been detected in a pre-race urine sample collected from ADA MITCHELL after it competed in and placed 6th in the SPIRITUAL MAN 2011, Maiden 340 Metres at the Hobart Greyhound Racing Club on 30th January 2020.

INQUIRY: Office of Racing Integrity Stewards inquired into reports from the analysts, that Arsenic in excess of the prescribed allowable threshold had been detected in a pre-race urine sample taken from ADA MITCHELL at the Hobart Greyhound Racing Club on 30th January 2020.

Stewards heard verbal evidence tendered by trainer Mr. Scott Fenton as to his feeding and husbandry practices and Dr Paul Zhara (Racing Analytical Services Limited). Written evidence was tendered by the Office of Racing Integrity Regulatory Veterinarian, Dr. Adam Richardson, in relation to the effects of Arsenic on greyhounds.

After giving due consideration to the evidence tendered, Mr. Fenton was charged pursuant to GAR83(2)(a) for presenting ADA MITCHELL to race when not free of the prohibited substance Arsenic.

When determining penalty, Stewards took the following things into account:

- Mr. Fenton's guilty plea;
- His current personal circumstances;
- His prior offence record;

- His extensive length of time in the industry;
- The impact that each penalty would have on Mr. Fenton both personally;
- The need for any penalty to act as a deterrent, both specific and general;
- The negative impact on the image of the racing industry a positive swab sample brings;
- The seriousness of the offences;
- The current COVID-19 crisis and the current stand down on racing in Tasmania.

DECISION:

Charge 1 – GAR83(2)(a) - Mr. Fenton was fined the sum of \$1,000 and received a suspension of his licence for a period of 10 weeks, commencing immediately at the conclusion of the inquiry and will expire midnight Wednesday 5th August 2020.

Charge 2 – GAR84A(1) - Mr. Fenton was fined the sum of \$200.

Acting under the provisions of GAR83(4), Stewards ordered that ADA MITCHELL be disqualified from the above mentioned race and the placings will be amended accordingly.

Mr. Fenton was advised of his rights of appeal.

ENDS