

MEDIA RELEASE

For immediate release

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Stewards Inquiry Scott Brunton – Tiger Jack, Vigilante & By Order

Panel – D Farquharson, S Quill, R Brown & A Crowther

On the 28th August 2017, Office of Racing Integrity Stewards inquired into reports from the analyst that, Arsenic in excess of the prescribed allowable threshold had been detected in urine samples taken from 'Tiger Jack' at Tasmanian Racing Club on 12 July 2015, and 'Vigilante' at Devonport Racing Club on 29 August 2015 following the winning performances of both horses.

A further report from the Analyst also notified that the sample taken from 'By Order' prior to it competing at the Tasmanian Turf Club on 12 June 2016 had returned a level of Arsenic above the threshold.

Stewards considered evidence tendered by trainer Mr Scott Brunton, who explained the circumstances relating to the positive findings. He advised that following the positive notification of Arsenic in the sample taken from 'Tiger Jack', he took immediate action by removing the wooden fencing, suspected as the source of the Arsenic. It was during this timeframe Mr Brunton was notified of the second positive finding relating to the sample taken from 'Vigilante'. Mr Brunton was unable to explain the presence of Arsenic in the sample provided by 'By Order'.

Stewards also took evidence from Dr Peter Horridge, who explained that Arsenic is a prohibited substance when above the threshold in accordance with Australian Racing (AR) rule 178C(1)(b), and that its effects are primarily on the horses' blood system.

Mr Scott Brunton subsequently pleaded not guilty to three charges pursuant to Australian Racing Rule (AR) 178 which states:

"Subject to AR.178G, when any horse that has been brought to a racecourse for the purpose of engaging in a race and a prohibited substance is detected in any sample taken from it prior to or following its running in any race, the trainer and any other person who was in charge of such horse at any relevant time may be penalised".

Charge 1.

The particulars of the charge were that Mr Scott Brunton did present 'Tiger Jack' for racing at the Tasmanian Racing Club on 12 July 2015 when a urine sample taken from that horse was found to contain the prohibited substance Arsenic.

Charge 2.

The particulars of the charge were that Mr Scott Brunton did present 'Vigilante' for racing at the Devonport Racing Club on 29 August 2015 when a urine sample taken from that horse was found to contain the prohibited substance Arsenic.

Charge 3.

The particulars of the charge were that Mr Scott Brunton did present 'By Order' for racing at the Tasmanian Turf Club on 12 June 2016 when a urine sample taken from that horse was found to contain the prohibited substance Arsenic.

Mr Brunton was formally found guilty on the three charges issued.

A stable inspection carried out on 25 August 2015 included photographic evidence tendered by Stewards, which confirmed signs of significant and fresh damage to the fencing consistent with chewing. Evidence taken included a reference to a study by Melbourne University Faculty of Veterinary and Agricultural Sciences examining the ingestion of wood shavings containing Arsenic. The evidence could not exclude to the requisite standard that the level of arsenic detected was not the result of 'Tiger Jack' and 'Vigilante' consuming wood from paddock fencing. Further, there was no evidence during the conduct of the stable inspection of products containing Arsenic.

Stewards determined to not impose a penalty against Mr Scott Brunton for the breaches of AR 178 in relation to the positive findings returned by 'Tiger Jack' (charge 1) and 'Vigilante' (charge 2).

When assessing the matter of 'By Order', Stewards maintained that it was Mr Brunton's responsibility to ensure his horses were presented for racing drug free. Bearing in mind he was aware of the issue relating to 'Tiger Jack' and 'Vigilante', he was remiss in his duty and care by presenting 'By Order' to race when not free of prohibited substances.

Mr Brunton was fined \$5000 for a breach of AR rule 178 on charge 3.

In assessing the matter of penalty, Stewards considered Mr Brunton's cooperation with the inquiry, his personal and subjective facts, his offence history, which does not include any breaches of this rule, and penalty precedents.

Acting under the provisions of AR 177, 'By Order' was disqualified from its unplaced performance at Launceston on 12 June 2016 and 'Tiger Jack' and 'Vigilante' were disqualified from their winning performances at Hobart on 12 July 2015 and Devonport 29 August 2015 respectively. Stewards directed that the placing's of the three races in question be amended accordingly.

- ends -

David Farquharson
SENIOR STEWARD