

Media Release

Racing Appeals & Disciplinary Board

10 October 2018

HRV RAD Board Hearing – Michael Gadsden

The Harness Racing Victoria (HRV) Racing Appeals and Disciplinary (RAD) Board today considered a charge issued by HRV Stewards under Australian Harness Racing Rule (AHRR) 190(1) against licensed trainer Michael Gadsden.

AHRR 190(1) reads as follows:

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

The charge related to a urine sample collected from the horse 'Dontshowyouraces' after it finished first in Race 4, the 'Choices Flooring By Westside Pace', at the Stawell harness racing meeting on 27 June 2018. Racing Analytical Services Limited (RASL) reported that analysis of that urine sample revealed the sample to contain arsenic in excess of the allowable threshold.

Mr Gadsden pleaded guilty to the charge before submissions on penalty were heard from HRV Stewards and Mr Gadsden.

In deciding an appropriate penalty, the HRV RAD Board considered Mr Gadsden's guilty plea and cooperation throughout the investigation; Mr Gadsden's personal circumstances; the purpose of the rules; penalties in relation to similar cases; both general and specific deterrence; Mr Gadsden's excellent record in regard to prohibited substances; past industry notices in relation to arsenic; the circumstances of the matter; and the remedial steps taken to prevent a recurrence. Mr Gadsden was subsequently fined \$3000, of which \$2500 was suspended for a period of 12 months.

The HRV RAD Board also ordered that, under AHRR 195, 'Dontshowyouraces' be disqualified from Race 4 at Stawell on 27 June 2018 and that the placings be amended accordingly. Further to that, the HRV RAD Board ordered that, under AHRR 200(1), any prizemoney won by 'Dontshowyouraces' from the race in question be refunded to HRV.

HRV RAD Board Panel: Graeme Hicks (Chair), Kevin Carson.

The Racing Appeals & Disciplinary Board (RADB) is established under section 50B of the Racing Act (1958). The RADB is an independent Board established to hear and determine appeals in relation to decisions made under the rules to impose penalties on persons and to hear and determine charges made against persons for serious offences.