

Media Release

Racing Appeals & Disciplinary Board

22 February 2018

HRV RAD Board Hearing – Josh Aiken

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-driver Josh Aiken.

AHRR 190(1) reads as follows:

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

The charge under AHRR 190(1) issued by HRV Stewards against Mr Aiken related to a urine sample taken from the horse 'The Defiant' at the Shepparton trial meeting on 29 August 2017. The definition of a 'race' within the AHRR includes an official trial.

Racing Analytical Services Limited (RASL) reported that the analysis of the urine sample revealed it to contain the prohibited substances levamisole and aminorex. The Racing Science Centre (RSC) in Queensland confirmed these findings in the reserve portion of the relevant urine sample.

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

In deciding an appropriate penalty, the HRV RAD Board considered Mr Aiken's cooperation throughout the investigation and guilty plea at the earliest opportunity, his good record in the industry, the references he presented, his remorse and the steps already taken to ensure that he does not commit another similar offence. The HRV RAD Board also emphasised the purpose of the rules in relation to prohibited substances, the dangers associated with horses competing with these substances in their system and the substance in question not being registered for use in horses in Australia.

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.

Mr Aiken was subsequently fined \$5000, of which \$2000 was suspended for a period of 12 months.

The HRV RAD Board also ordered that, under AHRR 195, 'The Defiant' be disqualified from Trial 3 at Shepparton on 29 August 2017.

HRV RAD Board Panel: Alanna Duffy (Chair), Hugh Millar, Rod Osborne

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