

Media Release

Racing Appeals & Disciplinary Board

6 February 2019

HRV RAD Board Hearing – Timothy McGuigan

On 5 February 2019, the Harness Racing Victoria (HRV) Racing Appeals and Disciplinary (RAD) Board considered a charge issued by HRV Stewards under Australian Harness Racing Rule (AHRR) 190(1) against licensed trainer Timothy McGuigan.

AHRR 190(1) reads as follows:

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

The charge under AHRR 190(1) related to a urine sample collected from the horse 'Undaliner' after it finished first in Race 4, the 'Hyland Harness Colours Pace', at the Cranbourne harness racing meeting on 31 May 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 McGuigan pleaded guilty to the charge before submissions on penalty were heard from HRV Stewards and Mr McGuigan.

In deciding an appropriate penalty, the HRV RAD Board considered Mr McGuigan's early guilty plea and cooperation throughout the investigation; Mr McGuigan's excellent record in regard to prohibited substance matters over 30 years in the industry; both general and specific deterrence; the circumstances of the matter; the significance of prohibited substance matters; and the onus being on participants to be aware of industry issues. Mr McGuigan was subsequently fined \$3000, of which \$1500 was suspended for a period of 12 months.

The HRV RAD Board also ordered that, under AHRR 195, 'Undaliner' be disqualified from Race 4 at Cranbourne on 31 May 2018 and that the placings be amended accordingly.

HRV RAD Board Panel: Judge Graeme Hicks (Chair), Dr. Hugh Millar.