



INQUIRY INTO THE INJECTION AND STOMACH TUBING OF *BLEVIO* PRIOR TO ITS SCRATCHING FROM A RACING ENGAGEMENT AT COFFS HARBOUR ON 22 MAY 2020

Coffs Harbour Racecourse

13 August 2020

**Stewards: M. A. Holloway (Chairman)
R Loughlin**

Racing NSW Stewards today conducted an inquiry into the injection and stomach tubing of the racehorse *Blevio* on the afternoon of Thursday 21 May 2020, prior to it being scratched and, within once clear day of 12.00am Friday 22 May 2020 on which day it was engaged to run in Race 5 Class 2 Handicap 1005m at Coffs Harbour racecourse.

Evidence was taken from licensed trainer Mr Brett Dodson, the trainer of *Blevio*, licensed trainer Mr Brett Bellamy, licensed apprentice Mr Kyle Wilson-Taylor and Racing NSW Chief Veterinary Officer Dr Toby Koenig.

The evidence established the following.

1. On the morning of Thursday 21 May 2020 *Blevio* was showing symptoms of tying up post trackwork. The mare was put on the walker for an extended time and its symptoms improved.
2. On removal from its box on the afternoon of Thursday 21 May 2020, *Blevio* was again showing symptoms of tying up. Mr Dodson advised that soon after he had made the decision that *Blevio* was not suitable to race the following day, however did not scratch the horse at that time.
3. On or around 5pm on the afternoon of Thursday 21 May 2020, Mr Bellamy at the request of Mr Dodson, and in Mr Dodson's and K. Wilson-Taylor's presence, stomach tubed *Blevio* with a solution containing 6 scoops of Salkavite to assist with the tying up symptoms. Approximately 20 minutes later, Mr Dodson injected *Blevio* with the prohibited substance Heptaminol to assist with the tying up symptoms.
4. The veterinary evidence confirmed that this treatment was suitable to treat a horse that was tying up.
5. At 6.55am on Friday 22 May 2020, Mr Dodson scratched *Blevio* from its race engagement and declared it was due to a veterinary condition.
6. On the morning of Friday 22 May 2020, Mr Dodson treated *Blevio* with phenylbutazone to assist with its continued tying up symptoms.
7. At approximately 11.45am on Friday 22 May 2020 stewards became aware of the possible stomach tubing of one of Mr Dodson's horses and commenced questioning Mr Dodson and Mr Bellamy shortly after.
8. Mr Dodson immediately identified *Blevio* as the horse that had been stomach tubed and volunteered the information that the mare had also been injected.
9. Racing officials collected blood samples from *Blevio* on Friday 22 May 2020. Analysis of those samples by the Australian Racing Forensic Laboratory (ARFL) confirmed the presence of the prohibited substances Phenylbutazone and

Heptaminol. A blood profile of such sample confirmed the mare had elevated Creatine Kinase, AST & CGT levels consistent with a horse that has tied up.

Stewards gave careful consideration to which rules of racing should be applied and considered that given the circumstances of the matter and having regard to the veterinary and scientific evidence taken, that AR227(a) was the most appropriate to Mr Dodson's and Mr Bellamy's conduct.

Charges

Mr Brett Dodson

Mr Dodson was charged with the following offences.

Charge 1

AR227(a) – Conduct and / or negligence in that he did fail to scratch *Blevio* from a racing engagement prior to causing the mare to be stomach tubed which could have led to a breach of AR255(1)(b)(ii).

Plea: Guilty

Charge 2

AR227(a) – Conduct and / or negligence in that he did fail to scratch *Blevio* from a racing engagement prior to injecting the mare which could have led to a breach of AR254(1)(a)(ii).

Plea: Guilty

Charge 3

AR104 – Failing to record the stomach tubing and injection of *Blevio* by midnight on 21 May 2020.

Plea: Guilty

Mr Brett Bellamy

Mr Bellamy was charged with the following offence.

AR227(a) – Conduct and / or negligence in that he did stomach tube *Blevio* without ascertaining its identity, the reason for such treatment or any racing engagement the mare had which could have led to a breach of AR255(1)(a)(ii).

Plea: Guilty

Penalty

Stewards considered the following matters in respect to penalty for both Mr Bellamy and Mr Dodson.

1. Guilty plea.
2. Honest and forthright evidence

3. No previous offences under AR227(a) or those rules in which they could have been in breach.
4. Length of time as licensed trainers
5. Personal and professional circumstances.
6. Principles applied by Stewards when issuing penalties.

Mr Brett Dodson

Charge 1

Stewards determined that the starting point for the offence under AR227(a) and the conduct that could have led to a breach of AR255(1)(b)(ii) was a fine of \$6,000. Appreciating Mr Dodson's guilty plea a penalty of \$4,500 was issued.

Charge 2

Stewards determined that the starting point for the offence under AR227(a) and the conduct that could have led to a breach of AR254(1)(a)(ii) was a fine of \$6,000. Appreciating Mr Dodson's guilty plea a penalty of \$4,500 was issued.

As the stewards were of the opinion that the conduct subject to Charges 1 and 2 was of a similar nature and purpose, they deemed it was in essence the same offence and ordered a penalty of \$4,500 be issued in total.

Charge 3

\$400 fine

Mr Brett Bellamy

Charge 1

Stewards determined that the starting point for the offence under AR227(a) and the conduct that could have led to a breach of AR255(1)(ii) is a fine of \$4000. Appreciating Mr Bellamy's guilty plea a penalty of \$3,000 was issued.

General

RacingNSW stewards take this opportunity to remind all participants that regardless of whether it is the intention for a horse to fulfil a race engagement or not, a horse is considered to have an engagement in a race until such time that it is scratched or eliminated from the event.

Relevant Rules

AR 227 Breaches of the Rules

Without limiting any other powers, a PRA or the Stewards may penalise any person who:

(a) commits any breach of the Rules, or engages in conduct or negligence which has led or could have led to a breach of the Rules.

AR 255 - Stomach-tubing prohibited at certain times

(1) A person must not, without the permission of the Stewards:

(b) cause the stomach-tubing of a horse engaged to run in a race, official trial or jump-out:

(ii) at any time during the 1 clear day prior to 12.00am on the day of the scheduled race, official trial or jump-out.

AR 254 - Injections prohibited at certain times

(1) A person must not, without the permission of the Stewards:

(a) inject a horse engaged to run in any race:

(ii) at any time during the 1 clear day prior to 12.00am on the day of the scheduled race.

AR 104 Trainers must keep treatment records

(1) A trainer must record any medication or treatment administered to any horse in the trainer's care by midnight on the day on which the administration was given.

**M A Holloway
CHIEF STEWARD (NRRA)**