



HEARING OF A CHARGE ISSUED AGAINST REGISTERED OWNER MR DAMION FLOWER.

**Racing NSW Offices
(By Video Conference)**

8 July 2022

**Stewards: M F Van Gestel (Chairman)
T P Moxon**

Racing NSW Stewards today conducted a hearing of a charge issued against registered owner Mr Damion Flower on 22 March 2022, under AR228(a) for conduct prejudicial to the image, interests and integrity of racing. Solicitor Mr Hamish Esplin, represented Mr Flower. Mr Esplin was assisted by solicitor Mr Ben Archbold.

Charge

Mr Flower was charged with conduct prejudicial to the image, interests and integrity of racing under AR228(a). The details of the charge being;

1. He is a registered owner based in NSW with a prominent profile in the NSW thoroughbred racing industry by reason of one of, or any combination of two or more of the following:
 - a. His syndicate, Jadesyke Syndicate, of which he was the majority member and Syndicate Manager, owned a number of horses that competed in NSW thoroughbred races, which a number of those horses having considerable success including in Group and Listed races;
 - b. His company, Platinum Park Enterprises Pty Ltd, owned and operated a major licensed stable at Hawkesbury;
 - c. From 2017 to 2019, Jadesyke Syndicate, of which he was the majority member and Syndicate Manager, was the holder of a slot in *The Everest*, Australia's richest race and the world's richest race on turf;
 - d. He is a shareholder in Snitzel, one of Australia's most successful breeding stallions.
2. On or around 23 May 2019, he was charged with serious criminal offences including importing commercial quantity of a border controlled drug, namely cocaine, engaging in business to import a commercial quantity of a border controlled drug and dealing in the proceeds of crime, namely money/property worth more \$100,000 or more.
3. On or around 29 March 2021, he pleaded guilty to serious criminal offences including importing commercial quantity of a border controlled drug, namely cocaine, engaging in business to import a commercial quantity of a border controlled drug and dealing in the proceeds of crime, namely money/property worth more \$100,000 or more.
4. On or around 11 February 2022 he was sentenced to 28 years imprisonment for serious criminal offences including importing commercial quantity of a border controlled drug, namely cocaine, engaging in business to import a commercial

quantity of a border controlled drug and dealing in the proceeds of crime, namely money/property worth more \$100,000 or more.

5. The media coverage from the date of his arrest to his sentencing was extensive with numerous reports linking him to the thoroughbred racing industry.
6. His actions in committing serious criminal offences including importing commercial quantity of a border controlled drug, namely cocaine, engaging in business to import a commercial quantity of a border controlled drug and dealing in the proceeds of crime, namely money/property worth more \$100,000 or more being prejudicial to the image, interests and integrity of racing.

Plea: Guilty

Penalty

The Stewards considered the following matters in respect to penalty.

1. Guilty plea.
2. Seriousness of the offence and the significant prejudiced caused to the NSW thoroughbred racing industry by his conduct.
3. Principle of specific and general deterrence and what message is sent to the industry in respect to such conduct.
4. Purpose for issuing penalties as a protective measure for the image, interests and integrity of the thoroughbred industry.

Mr Flower was disqualified for a period of 17 years to commence on 8 July 2022 and expire on 8 July 2039. In addition, he was fined the sum of \$100,000.

Relevant Rules

AR 228 Conduct detrimental to the interests of racing

A person must not engage in:

- (a) conduct prejudicial to the image, interests, integrity, or welfare of racing, whether or not that conduct takes place within a racecourse or elsewhere;*

**M F Van Gestel
Chairman of Stewards
General Manager - Integrity**