



Tyres Park Racecourse  
Bathurst

16 November 2021

Stewards: D J Bucknell (Chairman)  
J D Boehm  
E A Tickner

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Racing NSW Stewards today conducted an inquiry in respect to an entry in the treatment records of licensed trainer Ms Wanda Ings, that identified the racehorse Chur Bro (NZ) had been stomach tubed within one clear day of racing. Evidence was taken from Ms Ings, veterinary surgeon Dr George Corones, licensed jockey Ms Chelsea Ings, approved rider Mr William Stanley and Racing NSW GM-Veterinary Services Dr Toby Koenig. A brief of evidence compiled by the stewards was also considered.

### Charge

After considering the evidence stewards issued the following charge:

#### **AR255(1)(b)(ii) - Stomach-tubing prohibited at certain times**

The details of the charge being that Ms Ings did cause the racehorse *Chur Bro (NZ)* to be stomach-tubed on 24 September 2021 inside one clear day, when such horse was engaged to race at Wellington on 25 September 2021.

### Penalty

In assessing penalty stewards took into account the following matters.

- Ms Ings guilty plea and assistance with the inquiry.
- Ms Ings licencing history and disciplinary record.
- The nature of the substance that was administered.
- The personal circumstances of Ms Ings.
- The principles surrounding specific and general deterrence.
- The principles surrounding mandatory minimum penalties.

Ms Ings was disqualified for a period of nine (9) months to commence immediately and to expire on 16 August 2022 on which day she may reapply for a licence. Acting under the provisions of AR283(8) Ms Ings was advised the period of disqualification would be deferred under subrule 7 to allow Ms Ings to care for and make arrangements for horses under her care, however she must not nominate or start a horse in a race or barrier trial in this period.

### **Relevant Rules**

#### **AR 2 Dictionary**

*In the interpretation of these Australian Rules (and any race meeting held under them), unless the context requires otherwise, the words and phrases below have the meanings set out in this rule.*

*Clear day means a 24 hour period from 12.00am to 11.59pm.*

*Special circumstance means a circumstance stipulated to be a “special circumstance” under the Rules.*

*Stomach-tubing (and variations of that term) means the application to a horse of a nasogastric tube.*

**AR 255 Stomach-tubing prohibited at certain times**

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

- (a) stomach-tube;*
- (b) cause the stomach-tubing of;*
- (c) attempt to stomach-tube; or*
- (d) be a party to the stomach-tubing or attempted stomach-tubing of, a horse engaged to run in a race, official trial or jump-out:*

*(i) at any time on the day of the race, official trial or jump-out and prior to the start of that event; and/or*

*(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.*

*(2) Provided that the stomach-tubing or attempted stomach-tubing occurred on race day or during the 1 clear day prior to 12.00am on race day for a horse engaged to run in a race on that race day, if a person breaches subrule (1) a disqualification of not less than 12 months must be imposed (other than where the person is not, in the opinion of a PRA (or a person employed or engaged by a PRA) or the Stewards, the principal offender), unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.*

**LR 108.**

*(2) For the purposes of AR196(5), special circumstances means where:*

- (a) the person has pleaded guilty at an early stage and assisted the Stewards or the Board in the investigation or prosecution of a breach of the Rule(s) relating to the subject conduct; or*
- (b) the person proves on the balance of probabilities that, at the time of the commission of the offence, he:*

- (i) had impaired mental functioning; or*
- (ii) was under duress,*

*that is causally linked to the breach of the Rule(s) and substantially reduces his culpability.*

*(c) in the case of offences under AR178E, the medication in the opinion of the Stewards does not contain a prohibited substance, is of an insignificant nature and is for the welfare of the horse; or [paragraph added 18.11.13]*

*(d) the person proves, on the balance of probabilities that, he did not know, ought not to have known and would not have known had he made all reasonable inquiries, that his conduct was in breach of the Rules of Racing. [paragraph added 18.11.13]*

**AR 283 Penalties (8)**

*Notwithstanding that the commencement of a period of disqualification may be deferred under subrule (7), a trainer must not start a horse in any race from the time of the decision to disqualify that trainer until the expiration of the period of disqualification.*

**Dean Bucknell  
Chief Steward  
CD&WRA**