



INQUIRY INTO A TEXT MESSAGE SENT FROM LICENSED TRAINER MR CODY MORGAN TO MR ROBERT CLEMENT ON FRIDAY 20 AUGUST 2021.

HNWRA Office

Wednesday 25 August 2021

**Stewards: S J Woolaston (Chairman)
S K Morrish**

Racing NSW Stewards today concluded an inquiry into a text message sent from licensed trainer Mr Cody Morgan to Mr Robert Clement offering a pecuniary benefit to entice Mr Clement, husband of trainer Mrs Jane Clement, to scratch Rapid Eagle (trained by Mrs Clement) from Race 5 Baxter Boots and Shoes Class 2 Handicap 1400m at Tamworth on Sunday 22 August 2021. Evidence today was taken from C Morgan.

C Morgan pleaded guilty to the following charge under AR229(1)(a) for committing an improper action in connection with racing;

1. He is a licensed trainer with Racing NSW.
2. He is the trainer of the racehorse Sole Heir, which was accepted to race in Race 5 – Baxter Boots and Shoes Class 2 Handicap 1400m at Tamworth on Sunday 22 August 2021.
3. The racehorse Rapid Eagle, trained by trainer Mrs Jane Clement, was also accepted to race in Race 5 – Baxter Boots and Shoes Class 2 Handicap 1400m at Tamworth on Sunday 22 August 2021.
4. Rapid Eagle is a racehorse that has previously hung out in its races and raced in an on-pace position.
5. On Friday 20 August 2021 he sent a message to Mr Robert Clement, husband of trainer Mrs Jane Clement, offering his trainers percentage (10% of prizemoney earned by Sole Heir) to scratch Rapid Eagle from Race 5 – Baxter Boots and Shoes Class 2 Handicap 1400m at Tamworth on Sunday 22 August 2021.
6. Such request to scratch Rapid Eagle for a pecuniary benefit being an improper action as such request was for the purpose of enhancing the winning chances of Sole Heir in the aforementioned race and, if accepted, to the detriment of the connections of Rapid Eagle.

Penalty

Stewards considered the following matters when assessing penalty –

1. Guilty plea.
2. No previous offence under this rule, although his record had included previous convictions for serious breaches of the rules.
3. Principle of specific and general deterrence and what message is to be sent to the industry and greater public in respect to such conduct.

RACING NSW – STEWARDS REPORT

4. Purpose for issuing penalties as a protective measure for the image and integrity of the thoroughbred Industry.

Stewards believed the appropriate penalty be a fine of \$10,000 however, taking into his guilty plea and forthright evidence a fine of \$7,500 was issued.

Mr Morgan was advised of his appeal rights.

Relevant Rule

AR 229 Corruption, dishonesty and misleading behaviour

(1) *A person must not:*

- (a) *engage in any dishonest, corrupt, fraudulent, improper or dishonourable action or practice in connection with racing;*

S J Woolaston
Chief Steward HNWRA