



INQUIRY INTO WHETHER DISQUALIFIED TRAINER MR GARRY WHITE HAD BREACHED THE PROVISIONS OF AR263 AND THE TRAINING OF RACEHORSES LOCATED AT 107 RACECOURSE ROAD CLARENDON.

Racing NSW Offices
Druitt Street
Sydney

6 May 2022

Stewards: M F Van Gestel (Chairman)
S G Railton
S C Knight

Racing NSW Stewards today conducted an inquiry into whether disqualified trainer Mr Garry White had breached the provisions of AR263 and the training of racehorse located at 107 Racecourse Road Clarendon. Evidence today was taken from Mr White, licensed foreperson Ms Wendy Didd, licensed trainer Mr Terry Croft, licensed foreperson Mrs Roslyn Croft, licensed trainer Ms Lindy Wharekura and licensed stablehand Ms Jessica Green. Mr White and Ms Didd were assisted by solicitor Mr Rod Storie. In addition, a brief of evidence prepared by the Investigations and Surveillance Unit was considered by the Stewards following an operation conducted at the stables located at 107 Racecourse Road Clarendon on 14 April 2022.

Mr Garry White

Breach of AR263(1)(b) and (j)

1. Stewards determined that Mr White was in breach of AR263(1)(b) in that on 19 January 2022 he entered upon the training premises located at 107 Racecourse Road Clarendon.
2. Stewards determined that Mr White was in breach of AR263(1)(j) in that on 20 March 2022 he participated in the training of a horse by authorising the administration of Phenylbutazone to the racehorse Brown Thomas and provided instructions to check the horse's tendons and suspensory.

Stewards ruled that the provisions of AR263(4) should be applied, and that Mr White's period of 18 months disqualification re-commence effective 20 March 2022 and to expire on 20 September 2023.

Charge – Ms Wendy Didd

Charge – AR232(i) False and/or Misleading Evidence

The details of the charge being that Ms Didd did give false and/or misleading evidence at an interview and/or investigation on 14 April 2022.

Penalty – Ms Didd

The following penalty considerations were considered.

- Early guilty plea at first available opportunity
- Ms Didd's licensing history having been licensed and employed in the racing industry for a long period of time.
- Principle of specific and general deterrence and what message is sent to the industry in respect to such conduct.
- Purpose for issuing penalties as a protective measure for the image and interests of the thoroughbred Industry.

1. AR232(i) – 3 months disqualification, reduced from 4 months for guilty plea.

Ms Didd's disqualification to commence on 6 May 2022 and to expire on 6 August 2022.

Mr Terry Croft

Stewards considered as to whether Mr Croft had fulfilled his obligations of a trainer, following horses being previously trained by Mr White being transferred into his care in October 2021 due to the disqualification issued to Mr White. The evidence disclosed that Mr Croft had oversight over the training of the horses but had limited daily oversight over other obligations of a licensed trainer.

In electing not to issue a charge against Mr Croft under the Rules of Racing, Mr Croft was advised that in future he must ensure he fulfills all his obligation as a licence trainer. In this regard Mr Croft was referred to the decision of the Queensland Racing Appeals Authority 18 June 2002 in *Heathcote v Queensland Thoroughbred Racing Board* and advised he must ensure he understands the obligations placed upon a trainer.

There is no single action that properly defines the concept of training a racehorse. Training encompasses a range of tasks that collectively make up the practice of training a thoroughbred. These include feeding, grooming, caring, stabling, treating, exercising, setting trackwork regimes, assessment of form, nominating, accepting and an increasing list of singularity minor tasks. A trainer that participates in all tasks can, when considered collectively, make up the practice of training.

Relevant Rules

AR 232 Failure to observe processes and directions of PRAs or Stewards

A person must not:

- (i) give any evidence at an interview, investigation, inquiry, hearing and/or appeal which is false or misleading.

AR 263 Prohibitions on persons and their conduct while disqualified

(1) Unless otherwise authorised by the PRA which imposed a disqualification (and upon such conditions as that PRA may in its discretion impose), a person disqualified under these Australian Rules must not, during the period of that disqualification:

(b) enter upon any training premises, complex or establishment of a PRA, Club or licensed person;

(j) participate in any way in the preparation for racing or training of any horse;

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