

RACING VICTORIA LIMITED
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RACING APPEALS AND
DISCIPLINARY BOARD



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HEARING RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 21 September 2010

SUBJECT: HEARING RESULT – TRAINER: JASON WARREN

Panel Judge Russell Lewis (Chair), Mr Bill Kneebone, Mr Ron Taylor.

Appearances Mr Warren appeared on his own behalf.
Mr Tony Burns appeared as Counsel for the Stewards.

Charge Breach of AR 178.

The particulars of the charge being that a prohibited substance, Dexamethasone, was detected in a urine sample taken from the mare *Viking Turf Belle* following her running in Race 4 the *Wonthaggi Workmen's Club Handicap* at Moonee Valley on Saturday, 3 July 2010.

Plea Guilty.

Decision Mr Warren convicted and fined the amount of \$5,000 – payment due on or before 30 November 2010.

Viking Turf Belle disqualified as the winner of Race 4 the *Wonthaggi Workmen's Club Handicap* at Moonee Valley on Saturday, 3 July 2010 and the places amended accordingly:

1st – *Das Machen*, 2nd – *Altitude*, 3rd – *Ariarni*, 4th – *Alpharari*,
5th – *Princess Gisella*, 6th – *Silent Sophia*, 7th – *Soul Diva*,
8th – *Chouxmaani (NZ)*, 9th – *Magic Embrace*, 10th – *South African*.

Georgie Curtis
Registrar - Racing Appeals and Disciplinary Board

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR W. KNEEBONE
MR R. TAYLOR**

EXTRACT OF PROCEEDINGS

DECISION

TRAINER: JASON WARREN

MELBOURNE

TUESDAY, 21 SEPTEMBER 2010

MR A. BURNS appeared on behalf of the RVL Stewards

MR J. WARREN appeared on his own behalf

CHAIRMAN: Jason Warren, you have pleaded guilty to a charge laid under Australian Rule of Racing 178. The details of the charge have already been read out during the course of this hearing.

The evidence reveals that on Saturday, 26 June, and again on Monday, 28 June, your forelady, Miss Airey, administered to the horse, in combination, Dexapent, SwellDOWN and dimethyl sulfoxide, also known as DMSO. Dexapent contains dexamethasone which is a glucocorticoid anti-inflammatory agent, SwellDOWN is an anti-inflammatory poultice used to relieve soreness and swelling, largely of soft tissue, and DMSO is an analgesic and anti-inflammatory agent.

The evidence given today reveals that Miss Airey and Mr Warren had been advised by veterinarian, Dr Brennan, that a four-day withholding period was appropriate, even when these substances were administered in combination. Mr Warren and Miss Airey relied on Dr Brennan's opinion. Dr Brennan's opinion was in turn based on his own experience and anecdotal evidence, rather than scientific evidence. He was unable to provide the Board with any studies or controlled experiments which supported his view that four days was a safe withholding period.

The trainer is of course obliged to present his horses drug free on race day. It is no answer to a charge to say that, "I relied on my vet." Mr Warren has recognised that position by pleading guilty and he is entitled to credit for that concession. Further, he has no relevant prior matters, and in all the

circumstances, the Board records a conviction and imposes a fine of \$5000.

The horse, Viking Turf Belle, must be and is disqualified. The fine of \$5000 is to be paid on or before 30 November 2010.

END OF EXTRACT