



HEARING RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 13 December 2010

SUBJECT: **HEARING RESULT – TRAINER: ADRIAN MCGREGOR**

Panel Judge Russell Lewis (Chair), Mr Chris Enright, Mr Jeremy Rosenthal.

Appearances Mr McGregor appeared on his own behalf.
Mr James Ogilvy appeared on behalf of the Stewards.

Charge Breach of AR 178.

The charge relating to a prohibited substance, being Ibuprofen, detected in a urine sample taken for *Our Nkwazi* following its running in the *Chandler McLeon Country Showcase 0-68 Handicap* at Cranbourne on Sunday, 19 September 2010.

Plea Guilty.

Decision Mr McGregor convicted and fined the amount of \$4,000.
Fine due on or before 31 January 2011.

Pursuant to AR 177 *Our Nkwazi* disqualified as winner of Race 5 the *Chandler McLeon Country Showcase 0-68 Handicap* at Cranbourne on Sunday, 19 September 2010 and the places amended accordingly:

1st – *Locke's Choice*, 2nd – *Set Shot*, 3rd – *You'rejokingme*, 4th – *Polymook*,
5th – *Up There And Adam*, 6th – *Garter Girl*.

TRANSCRIPT OF PROCEEDINGS

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR C. ENRIGHT
MR J. ROSENTHAL**

EXTRACT OF PROCEEDINGS

DECISION

TRAINER: ADRIAN McGREGOR

MELBOURNE

MONDAY, 13 DECEMBER 2010

MR J. OGILVY appeared on behalf of the RVL Stewards

MR A. McGREGOR appeared on his own behalf

CHAIRMAN: In this case the Board is not satisfied by the explanation of Mr McGregor that ibuprofen was in Our Nkwazi's system as a result of that horse eating some feed containing ibuprofen which had been given to his horse Rezoning.

Accordingly, the Board is left in the not unusual position where there is no explanation. Thus, this case is different from the cases involving Mr Kent and Ms Bennett, where their explanations were accepted by the Board.

The Board takes into account Mr McGregor's plea of guilty and the absence of any relevant prior convictions. On the other hand, the evidence demonstrates that Mr McGregor was abysmally ignorant of what was required of him in relation to the administration of ibuprofen and given that he was treating Rezoning with the drug, he had a sloppy system of ensuring that Our Nkwazi did not receive ibuprofen.

Financial penalty is the appropriate disposition in this case and Mr McGregor is fined the sum of \$4000, to be paid on or before 31 January 2011. Pursuant to Australian Rule of Racing 177, the horse, Our Nkwazi, must be and is disqualified.

END OF EXTRACT