



STEWARDS REPORT

Inquiry into an analyst's finding relative to a sample obtained from licensed jockey Mr Brodie Loy at Calvary Hospital, ACT on the evening of 29 January 2018 which was broadened to investigate the circumstances leading to the delay in that sample being provided to Stewards

South East Racing Association (SERA)

Inquiry concluded at Thoroughbred Park ACT on 5 April 2018.

Stewards Panel: J D Walshe (Chairman) and C G Polglase

Stewards today inquired into an Australian Racing Forensic Laboratory (ARFL) Analyst's Report relative to a urine sample obtained from licensed jockey Mr Brodie Loy at Calvary Hospital, ACT on the evening of 29 January 2018 after he rode in Race 3 at Goulburn earlier that day. Stewards also inquired into the circumstances leading to the delay in that sample being provided to Stewards.

Further evidence was taken from B Loy, and evidence was taken via teleconference today from Mr A Cawley (Science Manager Australian Racing Forensic Laboratory) and licensed jockey J Devrimol. During the inquiry a number of exhibits were entered into evidence including a transcript of interview with licensed jockey N Heywood and licensed trainer Mr R Potter.

B Loy pleaded guilty to each of the following charges.

CHARGE 1

Under **AR 175(gg)** he did during a recorded telephone conversation with Stipendiary Steward Mr Chris Polglase at or around 12:00pm on 6 February 2018, make statements in relation to an iphone which was operated by him in the knowledge that those statements were false.

CHARGE 2

Under **AR 175(g)** he did during a recorded interview with the SERA Stewards at Thoroughbred Park on 7 February 2018 provide evidence in the knowledge that such evidence was false.

CHARGE 3

Under **AR 175(a)** he did commit an improper action in that on 6 February 2018 after being issued with a direction from Stipendiary Steward Mr Chris Polglase during a recorded telephone conversation on 6 February 2018, namely that he was directed to provide to SERA Raceday Official Mr A Spitzer, on the abovementioned date, the mobile phone that he had been using since Saturday 3 February 2018 he did:

1. Use a mobile device belonging to him to conduct an internet search for mobile phone retailers in the Merimbula area.
2. Purchase a Samsung Galaxy J1 Mini from a retailer in Merimbula.
3. Provide Mr Adam Spitzer with the purchased Samsung Galaxy J1 Mini in the knowledge that it was not the phone that he had been using since Saturday 3 February 2018.

CHARGE 4

Under **AR 81A(1)(a)** he did provide a sample of his urine at 8:45pm at Calvary Hospital, ACT on Monday 29 January 2018 after having ridden Midnight Mission in Race 3 at Goulburn Racecourse earlier that day, where, at that racecourse, he was given Stewards directions to provide a sample of his urine, such sample being found upon analysis to contain substances banned by AR81B.

PENALTY

CHARGE 1 – 3 months suspension backdated to 9 February 2018, on which day he was stood down from Stewards to expire on 9 May 2018.

CHARGE 2 – 6 months disqualification to be served concurrently with CHARGE 1 and therefore to expire on 9 August 2018.

CHARGE 3 – 6 months disqualification to be served cumulatively to CHARGES 1 & 2 and therefore to commence on 9 August 2018 and to expire on 9 February 2019.

CHARGE 4 – 9 months suspension to be served cumulatively to CHARGE 3 and therefore to commence on 9 February 2019 and to expire on 9 November 2019. Under the provisions of AR81D the operation of the final three months of the suspension is to be stayed by Stewards upon receipt of evidence that B Loy completes a satisfactory period of drug counselling meaning he may be eligible to reapply for his license on 9 August 2019.

Mr B Loy was advised of his rights of appeal.

JD Walshe
Chief Steward - SERA