



HEARING OF A CHARGE ISSUED AGAINST LICENSED TRAINER MR GORDON YORKE IN RESPECT TO THE ANALYSTS FINDING OF COBALT IN A URINE SAMPLE TAKEN FROM FOLLOW THROUGH PRIOR TO THE MARE BEING PLACED 2ND IN RACE 2 CLASS 1 HANDICAP CONDUCTED AT GRAFTON RACECOURSE 13 JULY 2017.

RNSW Offices
Druitt Street
Sydney

Monday 15 January 2018

Stewards: M F Van Gestel (Chairman)
P C Dingwall

The Stewards today conducted a hearing of a charge under AR178 issued against licensed trainer Mr Gordon Yorke on 19 October 2017, relative to the Analysts' findings of cobalt at a concentration above the level excepted in AR178C(1)(l) in a pre-race urine sample taken from Follow Through prior to that mare finishing 2nd in Race 2 – Class 1 Handicap conducted at Grafton on 13 July 2017.

The following levels of cobalt in the pre-race urine sample N198560 were reported.

National Measurement Institute (NMI)	17/8/2017	4413 µg/L
Racing Analytical Services Limited (RASL)	4/9/2017	>200 µg/L (apprx.4000 µg/L)

On 19 October 2017, evidence was taken from the trainer of Follow Through Mr Gordon Yorke, who also represented the interests of the owners of the mare. Racing NSW Senior Official Veterinarian Dr Craig Suann, Racing NSW Veterinarian Dr Tania Selig, ARFL Science Manager Dr Adam Cawley, RASL Scientific Manager Mr Paul Zahra and NRRRA Swab Official Ms Jane Dunn. Today, further evidence was taken from Mr Yorke, Ms Dunn, NRRRA Chief Steward Mr Mark Holloway, licensed stablehand Mr Guy Johnson, Mrs Lois Milham and Dr Selig. Upon application from Mr Yorke, Stewards agreed for Mr Holloway to stand down from determining the charge against Mr Yorke when required by Mr Yorke to give evidence.

Mr Yorke was found guilty of the charge under AR178, in that as the trainer of Follow Through he presented the mare to race on 13 July 2017 at the Grafton racecourse and cobalt above that excepted by AR178C(1)(l) was detected in a pre-race sample.

After considering all matters in relation to penalty, including Mr Yorke's good record, his not guilty plea, precedents penalties and the level of cobalt detected in the Follow Through sample, Mr Yorke was disqualified for a period of 18 months. The commencement of the disqualification was backdated to commence on Wednesday 21 December 2017, the day Mr Yorke's trainers licence was suspended under the provisions of AR8(z), and to expire on 21 June 2019 on which day Mr Yorke may re-apply for his trainer's licence.

Under the provisions of AR177, Follow Through was disqualified from its 2nd placing in Race 2 – Class 1 Handicap conducted at Grafton on 13 July 2017 and the placing's were amended as follows:

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1st Snapchat Girl
2nd Clever Blaze
3rd Anzio
4th Love Battles
5th Pet's Destiny
6th El Teniete

Mr Yorke and the Owners of Follow Through were advised of their rights of appeal.

Relevant Rules

AR178 - Subject to AR 178G, when any horse that has been brought to a racecourse for the purpose of engaging in a race and a prohibited substance is detected in any sample taken from it prior to or following its running in any race, the trainer and any other person who was in charge of such horse at any relevant time may be penalised.

AR 178C. (1) The following prohibited substances when present at or below the concentrations respectively set out are excepted from the provisions of AR 178B and AR 178H:-

(l) Cobalt at a mass concentration of 100 micrograms per litre in urine or 25 micrograms per litre in plasma.

AR8(z) - Notwithstanding anything contained within these Rules, and not in limitation of any power conferred by these Rules, where a person has been charged with a breach of these Rules (or a local rule of a Principal Racing Authority) or a person has been charged with the commission of an indictable criminal offence, the **Stewards pursuant to the authority delegated by the Principal Racing Authority**, if of the opinion that the continued participation of that person in racing might pose an unacceptable risk to, prejudice or undermine the image, interests or integrity of racing, may:

(a) suspend any licence, registration, right, or privilege granted under these Rules to that person;

M F Van Gestel
Chairman of Stewards