



HEARING OF CHARGES ISSUED AGAINST LICENSED TRAINER MR DAVID BRIDEOAKE

Tuesday 18 June 2019

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

Racing NSW Stewards on Monday 17 June 2019 conducted a hearing of the following charges issued against licensed trainer Mr David Brideoake, relative to the withdrawal of Princess Jenni from Race 3 – Adrian Knox Stakes at Randwick on 6 April 2019, when dried blood and an associated small lump was discovered on the near-side jugular vein of the filly when presented to race on that day.

Charge 1

AR 254 Injections prohibited at certain times

(1) *A person must not, without the permission of the Stewards:*

(a) inject;

(b) cause to be injected;

a horse engaged to run in any race:

(i) at any time on the day of the scheduled race and prior to the start of that race; and/or

(ii) at any time during the 1 clear day prior to 12.00am on the day of the scheduled race.

The particulars of the charge being that Mr Brideoake did, without the permission of the Stewards, inject and/or cause to be injected the horse Princess Jenni between approximately 7:45am and 11:58am on 6 April 2019 the day of and prior to Race 3 TAB Adrian Knox Stakes conducted at Royal Randwick racecourse on that day.

Charge 2

AR 249 Administration of medication on race day

(1) *Notwithstanding the provisions set out in Schedule 1, Part 2, Division 2, a person must not, without the permission of the Stewards:*

(a) administer; or

(b) cause to be administered,

any medication to a horse at any time on race day prior to the commencement of a race in which the horse is engaged to race.

The particulars of the charge Mr Brideoake did, without the permission of the Stewards, administer and/or cause to be administered medication the horse Princess Jenni between approximately 7:45am and 11:58am on 6 April 2019 the day of and prior to Race 3 TAB Adrian Knox Stakes conducted at Royal Randwick racecourse on that day.

Hearing of Charges

Mr Brideoake, who was assisted by Barrister Mr Adrian Anderson (assisted by lawyer Ms Kate Brideoake) pleaded not guilty to both charges.

In defence of the charges the following evidence was considered, in addition to submissions made by Mr Anderson on behalf of Mr Brideoake.

1. Statements or affidavits provided by;
 - a. Trainer David Brideoake;
 - b. Stable Foreman Alexander Woodhams;
 - c. Stablehand Thomas Brideoake;
 - d. Heather Brideoake;
 - e. Katherine Brideoake;
 - f. Stablehand Gemma Psaila;
 - g. Stablehand Hayden Vecchiet;
 - h. Owner Peter McMahon;
 - i. Trainer Jeremy Gask;
 - j. Stablehand Myles Carroll
 - k. Trainer Wayne Carroll
2. Mobile phone and financial records;
3. A report provided by Dr Derek Major, who also appeared and provided evidence today relative to his report;
4. Evidence from Stablehand Ms Rachel Botterill, strapper of Princess Jenni on 6 April 2019;
5. Further Evidence from Racing NSW Chief Veterinary Officer Dr Toby Koenig and Racing NSW Veterinarian Dr Darien Feary.

Stewards Findings

The Stewards having considered the evidence and submissions, found the following;

6. In accordance with the stable practice, Princess Jenni was injected with a 14-gauge catheter and the following substances administered on Thursday 4 April 2019 by Mr Brideoake's veterinarian Dr Marcus Valmardre, prior to travelling to Sydney;
1 litre Hypertonic saline solution, containing 40 ml of Cophos B, 2 x potassium vials and 40 ml of Hemoplex.
7. Princess Jenni was inspected by Racing NSW Investigator Mr Matt Gibson at 8:30am on 5 April 2019. Racing NSW Steward Mr Scott Matthews inspected Princess Jenni at 2:45pm on 5 April 2019 and race morning at 7:45am. Neither detected any abnormality in the near side jugular area.
8. Mr Brideoake and his son Thomas Brideoake attended to Princess Jenni at the Randwick stables of Mr Anthony Cummings between 5:15am and approximately 6:30am on race morning, before returning to their hotel room. Mr Brideoake did not return back to the stables until 10:50am on race morning.
9. Princess Jenni was attended to by stablehand Ms Botterill at 11:10am and walked to Randwick racecourse.

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10. At 11:58am Racing NSW Veterinarian Dr Feary, whilst collecting a pre-race blood sample identified a small lump near the near side jugular with associated dried blood. Dr Feary wiped away the dried blood and collected the pre-race blood sample and then reported the presence of dried blood and the small lump to Racing NSW Chief Veterinary Officer Dr T Koenig.
11. Dr T Koenig, soon after inspected Princess Jenni and found a moderately hard lump over the near side jugular.
12. An additional urine sample was collected from Princess Jenni.
13. Stewards ordered the withdrawal of Princess Jenni from Race 3 – Adrian Knox Stakes when they could not be comfortably satisfied the filly had not been injected in contravention of AR254.
14. The samples collected from Princess Jenni returned the following results
 - a. Blood sample TCO₂ 31.2 mmol/l and cobalt 5.3ug/l
 - b. Urine sample cobalt 7.4ug/l
15. The explanations proffered by Mr Brideoake in respect to the detection of the lump and dried blood was either
 - a. The injection of the 14-gauge catheter on 4 April 2019;
 - b. Princess Jenni had sustained the lump from exposed steel mesh on the door of its stable on 6 April 2019. Additional photographic evidence was provided to support his. Dr Feary and Dr Major advised the inquiry such occurrence was possible.
 - c. As advised by Dr Major, in his expert opinion, the small lump would be difficult to detect by merely a physical examination.

Standard of Proof

16. The applicable standard of proof is to the comfortable satisfaction of the Stewards, being the Briginshaw Standard.

Stewards Determination

17. Having considered the evidence, the Stewards are not comfortably satisfied, to the Briginshaw standard of proof, assessed on the basis of the gravity of the consequences of the offences, that Mr Brideoake;
 - a. Injected and/or caused Princess Jenni to be injected between 7:45am and 11:58am on 6 April 2019 and
 - b. Administered and/or caused to be administered medication to Princess Jenni between 7:45am and 11:58am on 6 April 2019.
18. Accordingly, the Stewards find the charges issued against Mr Brideoake are not proven.
19. In making this determination the Stewards, in addition to the findings detailed above, have considered;
 - a. Mr Brideoake's good reputation in the industry, including his clean record;

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- b. A number of references provided to the Stewards.

M F Van Gestel
Chairman of Stewards
General Manager - Integrity