

## RACING NSW STEWARDS – REASONS FOR DECISION



*INQUIRY INTO CARE AND WELFARE OF HORSE BADGIRL BUBBY BY TRAINER MR PETER CHAPMAN*

**Friday 29 November 2019**

**Stewards: M F Van Gestel (Chairman)  
S T Matthews**

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Racing NSW Stewards today conducted an inquiry into the condition and welfare of the thoroughbred mare Badgirl Bubby which was found to be located in a paddock in Londonderry NSW in an extremely poor condition.

Evidence today was taken from licensed Owner Trainer Mr Peter Chapman and Racing NSW Chief Veterinary Officer Mr Toby Koenig.

Mr Chapman was charged with the following two offences under AR231(1)(b).

### **Charge 1**

AR231(1)(b)(iii) - Failing to provide veterinary treatment to the horse where such treatment is necessary

The details of the charge being

1. He was the person in charge of the thoroughbred horse Badgirl Bubby at all relevant times up to and including 16 November 2019;
2. Between the period 2 March 2019 and 16 November 2019 he failed to provide veterinary treatment where that treatment was necessary to the mare Badgirl Bubby to investigate the cause of a significant loss in body condition score between that period.
3. As a consequence, Badgirl Bubby was found on 16 November 2019 to have a body score of 0 to 0.5/5 and in extremely poor condition.

**Plea: Guilty**

**Penalty: 9 Months disqualification**

### **Charge 2**

AR231(1)(b)(iv) - Failing to provide proper and sufficient nutrition for the horse.

The details of the charge being.

1. He was the person in charge of the thoroughbred horse Badgirl Bubby at all relevant times up to and including 16 November 2019;
2. At all relevant times between the period 2 March 2019 and 16 November 2019 he failed to provide proper and sufficient nutrition to Badgirl Bubby which caused a significant loss in body condition score between that period.
3. As a consequence, Badgirl Bubby was found on 16 November 2019 to have a body score of 0 to 0.5/5 and in extremely poor condition.

## **RACING NSW STEWARDS – REASONS FOR DECISION**

**Plea: Not Guilty**

**Finding: Guilty**

**Penalty: 12 Months disqualification**

In assessing penalty for both charges, the Stewards took into account

1. His forthright evidence;
2. Guilty plea for charge 1;
3. The seriousness of the offence;
4. The damage to the reputation of the industry that such conduct causes;
5. Mr Chapman's good record.

Further the general principles that apply when issuing penalty

6. What message is to be given to this individual to not only ensure that in the future this type of conduct is not repeated, but to also ensure that there is an appropriate penalty imposed to indicate the response of the community to integrity and welfare issues.
7. What general message is required to be sent to the community at large to indicate to those who might be likeminded to engage in such conduct, what the likely consequences are, and, secondly, to indicate to the broader community who are not likely to engage in the type of conduct that, should it be detected, they, whether they be wagerers or people just generally interested in the individual code, will know that it is operating at the highest possible standards.
8. The issuing of such penalties are for the protection and reputation of the sport.

Under the provisions of AR283(7) & (8) Mr Chapman was advised that he would be permitted to care for and exercise horses in his care for the next 7 days expiring on 6 December 2019, however during this time he is not permitted to start a horse in a race.

### ***Relevant Rules***

#### **AR 231 Care and welfare of horses**

(1) A person must not:

(b) if the person is in charge of a horse – fail at any time:

- (i) to exercise reasonable care, control or supervision of the horse so as to prevent an act of cruelty to the horse;
- (ii) to take such reasonable steps as are necessary to alleviate any pain inflicted upon or being suffered by the horse;
- (iii) to provide veterinary treatment to the horse where such treatment is necessary for the horse; and/or
- (iv) to provide proper and sufficient nutrition for the horse.

**M F Van Gestel**  
**General Manager-Integrity**  
**Chairman of Stewards**