



*INQUIRY INTO LICENSED TRAINER MR ANTHONY CUMMINGS BREACHING RACING NSW  
COVID-19 POLICIES AND NSW HEALTH ORDERS.*

**Racing NSW Offices  
Druitt Street  
Sydney  
(by Video Conference)**

**28 September 2021**

**Stewards: M F Van Gestel (Chairman)  
S G Railton  
C G Albrecht**

Racing NSW Stewards today conducted an inquiry into licensed trainer Mr Anthony Cummings breaching Racing NSW COVID-19 Policies and/or Protocols and NSW Health Orders, when it was established that Mr Cummings was resident in the Bayside Local Government Area (LGA) an LGA of Concern.

**Charges**

Mr Cummings was charged with the following offences.

**1. AR 228 Conduct detrimental to the interests of racing.**

- Attending Randwick racecourse between 15 August 2021 and 22 September 2021 in breach Racing NSW policies and protocols, without having obtained the necessary negative COVID-19 tests.
- Having attended Randwick race meetings 18 September 2021, 15 September 2021 (Kensington), 4 September 2021, 1 September 2021 (Kensington) and 25 August 2021 (Kensington) in breach of Racing NSW policies and protocols, and NSW Health Orders.

**Plea: Guilty**

**2. AR 233 Breach of Racing NSW Policy**

- Attending Randwick racecourse between 15 August 2021 and 22 September 2021 in breach Racing NSW policies and protocols, without having obtained the necessary negative COVID-19 tests.
- Having attended Randwick race meetings 18 September 2021, 15 September 2021 (Kensington), 4 September 2021, 1 September 2021 (Kensington) and 25 August 2021 (Kensington) in breach of Racing NSW policies and protocols.

**Plea: Guilty**

## **Penalty**

Stewards considered the following matters in respect to penalty.

1. Guilty Plea at earliest opportunity and contrition displayed.
2. Personal and professional circumstances.
3. Stewards were satisfied that the breaches were not intentional breaches or a wilful disregard to the policies, but rather Mr Cummings had failed to act diligently and properly inform himself as to the LGA he resided in.
4. Principles applied by Stewards when issuing penalties as a protective order.
5. Relevant circumstances of this case.

Stewards determined that the appropriate penalty for each offence was a fine of \$20,000 reduced to \$15,000 for Mr Cumming's guilty plea. Having regard to the principles of totality, considering both charges were for the same conduct, Stewards determined that the total fine issued to Mr Cummings be \$15,000.

## **Relevant Rules**

### ***AR 228 Conduct detrimental to the interests of racing***

*A person must not engage in:*

- (a) conduct prejudicial to the image, interests, integrity, or welfare of racing, whether or not that conduct takes place within a racecourse or elsewhere.*

### ***AR 233 Other misconduct offences***

*A person must not:*

- (a) breach a policy, regulation or code of practice published by Racing Australia or a PRA;*

**M F VAN GESTEL  
CHAIRMAN OF STEWARDS  
GENERAL MANAGER - INTEGRITY**