



HEARING TO DETERMINE CHARGES AGAINST LICENSED TRAINER EDWARD CUMMINGS FOLLOWING A STEWARDS INQUIRY AT HAWKESBURY RACE CLUB ON MONDAY 27 JULY 2020.

31 August 2020

Racing NSW Offices

Stewards: **W R Birch (Chairman)**
 T P Moxon

Racing NSW Stewards today conducted a hearing to determine charges against licensed trainer Mr. Edward Cummings following a Stewards inquiry conducted at the Hawkesbury Race Club on Monday 27 July 2020. The inquiry concerned the findings relative to a stable inspection conducted at Mr. Cummings licensed stable address on 29 May 2020.

Charges against Mr Cummings

Charge 1

Mr Cummings pleaded guilty to a charge under AR 103(4)(c)(i), the details being that upon inspection of his stable premise on 29 May 2020 it was found that 11 horses in his care had incorrect particulars on their Stable Returns, namely

1. Tri Nations – listed as active but active-non-stable training
2. Sunborn – listed as active but spelling
3. Spanish Pearl – listed as active but spelling
4. Maven Missile – listed as active but spelling
5. Gin Runner – listed as active but spelling
6. Objective – listed as active but transferred
7. Tavistock/Ijaaza – not listed in your stable returns
8. Fighting Sun/True Grace – listed as active-non-stable training but active
9. Duais – listed as active but active-non-stable training
10. Divine Prophet/ Moonlight Music Colt – listed as active-non-stable training but active
11. Astern/She Must Be Obeyed – listed as active-non-stable training but active

Penalty - \$1000

Charge 2

Mr Cummings pleaded guilty to a charge under LR 82(3), the details being that as a licensed trainer he did employ 6 (six) staff when they were not registered with Racing NSW, namely:

1. Jessica Harris
2. Amanda Large
3. Tiarne Mitchell
4. Kate Wilbow
5. Jamie Murray
6. Charlotte Allen.

Penalty - \$2000

Charge 3

Mr Cummings pleaded guilty to a charge under AR104(2)(b), the details being that between 7 May and 28 May 2020, Mr. Cummings did not keep treatment records that included the name of the horse, route of administration, time, or the name and signature of the of the person administering the treatments or medications.

Penalty - \$1000

Charge 4

Mr Cummings pleaded guilty to a charge under AR 254(1)(b)(ii), the details being that he did cause the horse Spanish Pearl to be injected for the purposes of collecting a blood sample on 14 February 2020, within one clear day of the scheduled race in which it was engaged to run at Gosford on 15 February 2020.

Penalty - \$2500 - \$1000 suspended for a period of 12 months.

Charge 5

Mr Cummings pleaded guilty to a charge under AR 252(1), the details being that he did have on his premises on 29 May 2020, medications that were not labelled or prescribed in accordance with Commonwealth legislation, namely, Meloxicam, ACP2, Buscopan, Pentosan, Dexapent and Airway Gel

Penalty - \$1000

Charge 6

Mr Cummings pleaded guilty to a charge under LR82C(1)(b), the details being that he did allow horses in his care to receive veterinary services from a veterinarian that is not the holder of a permit issued by Racing NSW by sourcing the medication 'Airway Gel' from Dr Robert Zammit.

Penalty - \$2500 - \$1000 suspended for a period of 12 months.

Relevant Rules

Division 2 – Rights and obligations of trainers

AR 103 Trainers to lodge Stable Returns

- (4) *The Trainer of a horse must:*
- (C) *lodge an amendment to a Stable Return immediately if:*
- (i) *any particulars on the Stable Return have changed*

Local Rule 82

(3) *No employee unless duly registered may be employed by a trainer. This requirement also applies to stablehands transferring to another trainer.*

Division 2 – Rights and obligations of trainers

AR 104 Trainers must keep treatment records

For the purpose of subrule (1), each record of administration must include the following information:

- (a) *the name of the horse;*
- (b) *the date and time of administration of the treatment of medications;*
- (c) *the name of the treatment or medication administered (brand name or active constituent);*
- (d) *the route of administration including by injection, stomach tube, paste, topical application or inhalation;*
- (e) *the amount of medication given (if applicable);*
- (f) *the duration of treatment (if applicable);*
- (g) *the name and signature of the person/s administering and/or authorizing the administration of the treatment of medication.*

Division 6 - Injections

AR254 Injections prohibited at certain times

- (1) *A person must not, without the permission of Stewards:*
- (b) *cause to be injected*
- A horse engaged to run in any race*
- (ii) *at any time during 1 clear day prior to 12.00am on the day of the scheduled race.*



Division 4 – Possession offences

AR 252 Possession of medication/substance/preparation in breach of legislation

(1) A person must not have in his or her possession or on his or her premises any medication, substance or preparation which has not been registered, labelled, prescribed, dispensed or obtained in accordance with the applicable Commonwealth and State legislation

Local Rule 82 (C)(1)(b)

A trainer shall not allow a horse under his care or control in New South Wales to receive veterinary services from any person other than a veterinarian who is registered with the Veterinary Practitioners Board of NSW or equivalent interstate body and has been issued with a permit by Racing NSW.

Division 4 – Penalties

AR 283 Penalties

(5) Any person or body authorised by the Rules to penalise a person may in respect of any penalty imposed in relation to the conduct of a person and other than in relation to a period of disqualification or a warning off, suspend the operation of that penalty either wholly or in part for a period not exceeding 2 years, on terms they think fit.

**W R Birch
Deputy Chairman of Stewards
Racing NSW**