



HEARING OF CHARGES ISSUED AGAINST LICENSED TRAINER MR MARK GWYNNE AND  
PERMITTED VETERINARIAN DR RONALD RAYMER.

**Racing NSW Offices**  
**Druitt Street**  
**Sydney**  
**(By video conference)**

**9 September 2021**

**Stewards: M F Van Gestel (Chairman)**  
**S G Railton**  
**S J Woolaston**

---

Racing NSW Stewards today conducted a hearing of charges issued against licensed trainer Mr Mark Gwynne and permitted veterinarian Dr Ronald Raymer. Evidence today was taken from Mr Gwynne, Dr Raymer, Racing NSW GM-Veterinary Services Dr Toby Koenig, Racing NSW Official Veterinarian Dr Rose Bensley and HNWRA Deputy Chief Steward Mr Benjamin Pearce. An evidence brief provided by the Racing NSW Investigations and Surveillance Unit was also considered.

### **Charges**

**Mr Gwynne was charged with the following offences.**

**1. AR 248 Administration of anabolic androgenic steroids**

Did administer the substance and/or preparation Stanazol, which contains the anabolic androgenic steroid stanozolol, to the thoroughbred racehorse Bartandthequeen on or around 11 or 12 December 2020.

**Plea: Guilty**

**2. AR 250 Possession of prohibited substance**

Did have in his possession between on or around between 8 December 2020 and 12 December 2020 the substance and/or preparation Stanazol, which contains the anabolic androgenic steroid stanozolol, a prohibited substance on Prohibited Substance List A.

**Plea: Guilty**

**3. AR 252 Possession of medication/substance/preparation in breach of legislation**

Did have in his possession between on or around between 8 December 2020 and 12 December 2020 the substance and/or preparation Stanazol, which contains the anabolic androgenic steroid stanozolol, which had not been

prescribed and dispensed in accordance with the Stock Medicines Act 1989 and the Poisons and Therapeutic Goods Act 1966.

**Plea: Guilty**

**4. AR 232 Failure to observe processes and directions of PRAs or Stewards – False Evidence**

Did give evidence at an interview conducted on 8 July 2021 by Racing NSW Stipendiary Steward Mr Ben Pearce and Official Veterinarian Dr Rose Bensley, in the knowledge that such evidence was false.

**Plea: Guilty**

**Penalty**

In assessing penalty Stewards considered the following matters.

1. Guilty plea at the first available opportunity.
2. Forthright evidence provided by Mr Gwynne and cooperation at today's hearing
3. His good record, having been a licensed trainer for approximately 40 years.
4. Seriousness of the breach.
5. Principles applied when issuing penalties under the Rules of Racing.

**Charge 1** – 18 months disqualification (2 years mandatory minimum penalties under AR248(2) & AR283(6)(h) reduced to 18 months for guilty plea).

**Charge 2** – 9 months disqualification (reduced from 12 months for guilty plea).

**Charge 3** - 9 months disqualification (reduced from 12 months for guilty plea).

**Charge 4** – 4 months disqualification (reduced from 6 months for guilty plea).

Stewards determined that the penalties under charge 1,2, and 3 be served concurrently and charge 4 cumulatively. As a result, Mr Gwynne was disqualified for a period of 22 months to commence on 9 September 2021 and to expire on 9 July 2023 on which day he may re-apply for his licence.

**Charges**

**Dr Raymer was charged with the following offences.**

**1. AR 256 – Prohibition on supply and procurement of certain substances/preparations**

Did supply the substance and/or preparation Stanazol, which contains the anabolic androgenic steroid stanozolol, a prohibited substance on Prohibited Substance List A, to licensed trainer Mr Mark Gwynne on or around 8 December 2020.

**Plea: Guilty**

## **2. AR 256 – Prohibition on supply and procurement of certain substances/preparations**

Did supply the substance and/or preparation Stanazol, which contains the anabolic androgenic steroid stanozolol, which had not been prescribed and dispensed in accordance with the *Stock Medicines Act 1989* and the *Poisons and Therapeutic Goods Act 1966*.

**Plea: Guilty**

### **Penalty**

In assessing penalty Stewards considered the following matters.

1. Guilty plea at the first available opportunity.
2. Forthright evidence provided by Dr Raymer and cooperation throughout the investigation.
3. Seriousness of the breach.
4. Principles applied when issuing penalties under the Rules of Racing.

**Charge 1** – 12 months suspension of Veterinary Permit (reduced from 16 months for guilty plea)

**Charge 2** – 12 months suspension of Veterinary Permit (reduced from 16 months for guilty plea)

Stewards ruled that both penalties be served concurrently. As a result, Dr Raymer's Racing NSW veterinary permit was suspended for a period to commence on 9 September 2021 and to expire on 9 September 2022.

Given the serious nature of the breach Dr Raymer will be required to appear before the Racing NSW Licensing Committee before being issued with a further veterinary permit. The matter will also be referred to the NSW Veterinary Practitioners Board.

### **Bartandthequeen – Prohibited from Racing**

Under the provisions of AR248(4), Stewards ruled that Bartandthequeen not be permitted to start in any race, official trial or jump out for a period of 12 months from the date of administration being 12 December 2020 and to expire on 12 December 2021. In accordance with AR248(4)(b) an anabolic clearance certificate was obtained.

### **Relevant Rules**

#### **AR 232 Failure to observe processes and directions of PRAs or Stewards**

*A person must not:*

- (i) *give any evidence at an interview, investigation, inquiry, hearing and/or appeal which is false or misleading.*

### **AR 248 Administration of anabolic androgenic steroids**

(1) A person must not:

(a) administer;

*an anabolic androgenic steroid to a horse.*

(2) *If a person breaches subrule (1), a disqualification for a period of not less than 2 years must be imposed, unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.*

### **AR 250 Possession of prohibited substance**

A person must not have in his or her possession:

(b) *a substance or preparation containing a prohibited substance on Prohibited List A.*

### **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 applicable Commonwealth and State legislation.*

### **AR 256 – Prohibition on supply and procurement of certain substances/preparations**

(1) A person must not:

(a) supply;

(ii) *a substance or preparation containing a prohibited substance on Prohibited List A;*

(iii) *a substance or preparation that is not permitted to be in a person's possession or on a person's premises in accordance with AR 252(1).*

(3) For the purposes of this rule:

(a) *“supply” includes the selling, giving, transporting, sending, delivering or distributing (or possessing for any such purpose) of a substance or preparation;*

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