



INQUIRY INTO AN ALLEGATION THAT LICENSED STABLEHAND MR DAMIEN MOGUS PROVIDED AND/OR ATTEMPTED TO PROVIDE A SUBSTITUTE SAMPLE TO THE STEWARDS ON 12 APRIL 2021.

Stewards Room
Warwick Farm Racecourse

4 May 2021

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

Racing NSW Stewards today conducted an inquiry into an allegation that licensed stablehand Mr Damien Mogus provided and/or attempted to provide a substitute urine sample to the Stewards on 12 April 2021 at Warwick Farm racecourse. Evidence today was taken from Mr Mogus and Racing NSW Investigators Mr J Rodger and Mr D Hadley.

The evidence established that Mr Mogus had attempted to use a device that replicated male anatomy, which also contained a synthetic substance designed to replicate human urine.

Charge

AR140(1)(b) Substituting a Urine Sample

Supplied and/or attempted to supply a substitute urine sample at the Warwick Farm racecourse on the morning of 12 April 2021, in that he substituted the sample with a synthetic liquid designed to replicate a human urine sample.

Plea: Guilty

Penalty: 9 Months Disqualification reduced from 12 months for guilty plea.

Mr Mogus was advised under AR139(4), he would be required to provide a sample free from any banned substance prior to Racing NSW considering any future licence application.

Relevant Rule

AR 140 Offences where horse handlers use banned substances.

(1) A horse handler breaches these Australian Rules if:

RACING NSW – STEWARDS REPORT

- (b) the horse handler refuses or fails to deliver a sample as directed by the Stewards, tampers with, adulterates, alters, substitutes, or in any way hinders the collection of, a sample or attempts to do any of those things.*
- (4) If a horse handler incurs a penalty or is prevented by the Stewards from riding under this rule, the horse handler cannot resume handling horse until the period of the penalty has expired and a sample from the horse handler free of any banned substance under AR 136(1) has been delivered, as directed by the Stewards.*

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