

RACING NSW STEWARDS REPORT

Coffs Harbour Racing Club COFFS HARBOUR RACECOURSE

Wednesday 11 December 2019

COMMITTEE OF STEWARDS: M. A. Holloway (Chairman) & R. W. Loughlin

Stewards today inquired into the circumstances surrounding the body condition and subsequent death of the horse *Liezhi Mei*.

Evidence was taken from registered owner Mr Daniel Riley and RacingNSW veterinary permit holder Dr Andrea Boland.

After considering the evidence presented, Mr Riley was issued the following charges –

Charge 1

AR231(1)(b)(iv) - A person must not if the person is in charge of a horse – fail at any time to provide proper and sufficient nutrition for the horse;

The details of charge being –

1. That you registered owner Mr Daniel Riley were the person in charge of the horse *Liezhi Mei* at all relevant times up to or around 23 July 2019.
2. At all relevant times prior to 28 June 2019 you did fail to provide proper and sufficient nutrition for *Liezhi Mei* resulting in the mare losing body condition.
3. *Liezhi Mei* was found upon veterinary inspection on 28 June 2019 to have a body condition score of 0/5.
4. *Liezhi Mei* was subsequently euthanased, at your direction, on or around 23 July 2019 due to its poor body condition.

Plea: Not guilty

Finding: Guilty

Penalty: 12 months disqualification

Charge 2

AR231(1)(b)(iii) - A person must not if the person is in charge of a horse – fail at any time to provide veterinary treatment to the horse where such treatment is necessary for the horse;

The details of charge being –

1. That you registered owner Mr Daniel Riley were the person in charge of the horse *Liezhi Mei* at all relevant times up to or around 23 July 2019.
2. At all relevant times prior to 23 July 2019 you did fail to provide veterinary treatment for *Liezhi Mei* where that treatment was necessary to investigate, and treat, the mares poor body condition.
3. *Liezhi Mei* was found upon veterinary inspection on 28 June 2019 to have a body condition score of 0/5.
4. *Liezhi Mei* was subsequently euthanased, at your direction, on or around 23 July 2019 due to its poor body condition.

Plea: Guilty

Penalty: 12 months disqualification, reduced to 9 months allowing for guilty plea.

Charge 3

LR114(4) – A registered owner, trainer or any person that is in charge of or has in his or her possession, control or custody of any horses (Eligible Horses, Unnamed Horses and Named Horses) is not to euthanize or destroy a horse (or permit a horse to be euthanized or destroyed) unless a registered veterinary surgeon has certified in writing that it necessary on welfare or safety grounds or for reasons approved in writing by Racing NSW or unless under extreme circumstances where it necessary for a horse to be euthanized immediately and the decision is subsequently confirmed by a veterinary surgeon.

The details of the charge being that –

1. That you registered owner Mr Daniel Riley were the person in charge of the horse *Liezhi Mei* at all relevant times up to or around 23 July 2019.
2. On or around 23 July 2019 you did permit *Liezhi Mei* to be destroyed.
3. You did fail to seek advice or the certification from a registered veterinary surgeon that such action was necessary, either prior to or following such action.

Plea: Guilty

Penalty: 12 months disqualification, reduced to 9 months allowing for guilty plea.

Charge 4

AR232(b) – A person must not fail or refuse to comply with an order direction or requirement of the Stewards or an official.

The details of the charge being that –

1. In correspondence dated 9 August 2019 you were advised that your presence was required at 1pm on Wednesday 28 August 2019 at Coffs Harbour racecourse to allow stewards to inquire into the body condition of *Liezhi Mei* and its subsequent death. You failed to respond to such correspondence and failed to attend the proceedings as requested.

2. In correspondence dated 24 September 2019 you were directed that your presence was required at 10am on Monday 14 October 2019 at Coffs Harbour racecourse to allow stewards to inquire into the body condition of *Liezhi Mei* and its subsequent death. You failed to respond to such correspondence and failed to attend the proceedings as requested.

Plea: Guilty

Penalty: 4 months disqualification, reduced to three months allowing for guilty plea

Stewards order that the penalties issued under Charges 1 & 2 be served concurrently. Further, 3 months of the penalty for Charge 3 be served concurrently. The remainder of the penalties being served cumulatively.

Mr Riley was disqualified for a period to commence on 11 December 2019 and expire on 11 September 2021.

When assessing penalty for each charge stewards considered –

1. The plea entered
2. The seriousness of the charge
3. Mr Riley's clear disciplinary record
4. Precedent penalties for similar offences
5. The potential impact each offence had on the reputation and perception of the racing industry.

Further, the general principles that apply when issuing penalty

6. What message is to be given to Mr Riley to ensure that in the future this type of conduct is not repeated.
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.
8. The requirement to indicate to the broader community who are not likely to engage in the type of conduct that, should it be detected, the industry is operating at the highest possible standards.

Mr Riley was advised of his appeal rights.

**Mark Holloway
Chief Steward NRRA**