



THOROUGHBRED RACING SA LIMITED

STIPENDIARY STEWARDS' REPORT – MR. SCOTT WHITTLE

STRATHALBYN – WEDNESDAY, 3 OCTOBER 2018

On Wednesday 3 October 2018, Stewards opened an inquiry into the circumstances surrounding alleged conduct by Mr. Scott Whittle following the running of Race 8 at the Strathalbyn Racecourse after receiving a report from a Cadet Steward, which alleged that Mr. Whittle had struck one of his horses in the vicinity of its head whilst in the tie-up stalls.

Stewards heard evidence from the Cadet Steward who made the report, and two registered racehorse owners (not associated with the horse concerned) who were present in the vicinity of the tie-up stalls. All three witnesses gave evidence to the effect that they had witnessed Mr. Whittle strike a horse in the vicinity of its head with his right hand. Stewards also heard evidence from Mr. Whittle who denied that he had struck his horse in the manner described by the witnesses.

Stewards further considered evidence from a Veterinary Surgeon officiating at the race meeting who examined the horse post the alleged event. It was determined that the horse was the gelding **Brookton Ice** which is trained by Mr. Whittle and which competed in Race 8 at Strathalbyn. The Veterinary Surgeon reported that the horse had a bloody discharge from both nostrils consistent with Exercised Induced Pulmonary Haemorrhage, which would constitute the horse being considered to have “suffered an attack of bleeding” and consequently would be subject to the provisions of AR.53A, the effect of which means the horse cannot be trained for a period of 2 months and cannot start in any race for a period of 3 months and then only after a satisfactory gallop of at least 1000 metres in the presence of a Steward. The Veterinary Surgeon also advised that upon examination there was no evidence of external trauma to the horse's head.

After considering the evidence, Stewards charged Mr. Whittle under the provisions of AR.175(q) and AR.175A, the particulars of the charges being;

Charge 1 (AR.175(q)) – On Wednesday 3 October 2018 at the Strathalbyn Racecourse, after the running of Race 8, Mr. Whittle conducted himself in an improper manner in the tie-up stalls by striking the racehorse **Brookton Ice**, trained by him, in the vicinity of its head with his right hand.

Charge 2 (AR.175A) – On Wednesday 3 October 2018 at the Strathalbyn Racecourse, after the running of Race 8, Mr. Whittle struck the racehorse **Brookton Ice**, trained by him, in the tie-up stalls, in the vicinity of its head, with his right hand, in view of two registered owners and a Cadet Steward employed by TRSA, and such conduct, by striking the horse, having the effect of being prejudicial to the image, interests and welfare of racing.

Mr. Whittle pleaded not guilty to both charges. After considering the evidence, Stewards noted:

- The evidence tendered by the Cadet Steward and the two registered owners were unsolicited, and
- The evidence provided by all three witnesses appeared to Stewards to be forthright and without ulterior motive and/or malice.

Consequently, and despite Mr. Whittle's own evidence to the contrary, Stewards were comfortably satisfied and found on a balance of probabilities that in respect of **Charge 1** (AR.175(q)) that Mr. Whittle did strike the horse and that such constituted improper conduct and in respect of **Charge 2** (AR.175A) that such improper conduct being visually evident to others present makes it conduct prejudicial to the image, interests and welfare of racing, and consequently found him guilty of both charges.

In determining penalty, Stewards had regard for Mr. Whittle's personal circumstances and his clean record. However, Stewards also had regard for the seriousness of the breaches and specific and general deterrence. While it was noted that there was no evidence of external trauma to the horse's head, Stewards considered the image of racing is paramount and any conduct, which works to negatively affect that image, will not be condoned. In the circumstances, Stewards imposed the following penalties:

In respect of **Charge 1** – a suspension of Mr. Whittle’s license to train for a period of 1 month, and

In respect of **Charge 2** – a suspension of Mr. Whittle’s license to train for a period of 5 months of which 2 months is suspended for a period of 12 months on the proviso he is not found guilty of a breach of a similar rule of racing during that period.

Stewards further ordered that the two penalties be served concurrently and that the commencement of the period of suspension be deferred, under the provisions of AR.196(6)(a), for a period of 7 days. On that basis, the period of suspension in respect of **Charge 1** will commence at midnight on Wednesday 10 October 2018 and expire at midnight on Saturday 10 November 2018, and in respect of **Charge 2** will commence at midnight on Wednesday 10 October 2018 and expire at midnight on Thursday 10 January 2019. Stewards further ordered that Mr. Whittle may not nominate a horse for a race, official trial or jump-out in the period leading up to midnight 10 October 2018, but may continue to train his horses until that time and date.

Mr. Whittle was advised of his right of appeal.

J. C. PETZER

CHAIRMAN OF STEWARDS

5 October 2018