

3 July 2026

DECISION

HARNESS RACING VICTORIA

and

SCOTT GARRAWAY

Date of Penalty Hearing: 11 May 2026

Date of Decision: 3 July 2026

Panel: Judge Marilyn Harbison (Deputy Chairperson), Dr Andrew Gould and Ms Judy Bourke.

Appearances: Ms Amy Wood, instructed by Mr Andrew Cusumano, appeared on behalf of the Stewards.
Mr Scott Garraway represented himself.

Charges: Australian Harness Racing Rule ("AHRR") 196A(1)(ii) states:
(1) A person shall not administer or cause to be administered to a horse any prohibited substance
(ii) which is detected in any sample taken from such horse prior to or following the running of any race.

AHRR 190(1) states:
(1) A horse shall be presented for a race free of prohibited substances.

Particulars: Charge 1: AHRR 196A(1)(ii)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR;
2. At all relevant times, you were the trainer of 'Wilshire Boulevard';
3. On 1 May 2022, the horse 'Wilshire Boulevard' was presented for, and participated in, Race 4 at the Swan Hill harness racing meeting, the "Alabar – Tradition Of Excellence Pace" (the Race);
4. You administered, or caused to be administered, to 'Wilshire Boulevard' a prohibited substance which was detected in samples taken from that horse prior to and following the running of the Race, in that:
 - a. You administered, or caused to be administered, to 'Wilshire Boulevard' cobalt;
 - b. Prior to the Race, a blood sample was collected from 'Wilshire Boulevard', with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;
 - c. Following the Race, a urine sample was collected from 'Wilshire Boulevard', with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;
 - d. Cobalt is a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma or 100 micrograms per litre in urine.

Charge 2: AHRR 190(1)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR.
2. At all relevant times, you were the trainer of 'Wilshire Boulevard';
3. On 1 May 2022, the horse 'Wilshire Boulevard' was presented for, and participated in, Race 4 at the Swan Hill harness racing meeting, the "Alabar – Tradition Of Excellence Pace" (the Race);

4. Prior to the Race, a blood sample was collected from 'Wilshire Boulevard', with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;

5. Following the Race, a urine sample was collected from 'Wilshire Boulevard', with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;

6. As the trainer of 'Wilshire Boulevard' on 1 May 2022, you presented that horse for the Race not free of cobalt, a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma or 100 micrograms per litre in urine.

Charge 3: AHRR 196A(1)(ii)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR;

2. At all relevant times, you were the trainer of 'Orama';

3. On 13 May 2022, the horse 'Orama' was presented for, and participated in, Race 5 at the Mildura harness racing meeting, the "Falvo Fruits Table Grapes Supports Pacing For Pink" (the Race);

4. You administered, or caused to be administered, to 'Orama' a prohibited substance which was detected in a sample taken from that horse following the running of the Race, in that:

a. You administered, or caused to be administered, to 'Orama' cobalt;

b. Following the Race, a urine sample was collected from 'Orama', with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;

c. Cobalt is a prohibited substance when present at a concentration in excess of 100 micrograms per litre in urine.

Charge 4: AHRR 190(1)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR.

2. At all relevant times, you were the trainer of 'Orama';
3. On 13 May 2022, the horse 'Orama' was presented for, and participated in, Race 5 at the Mildura harness racing meeting, the "Falvo Fruits Table Grapes Supports Pacing For Pink" pace (the Race);
4. Following the Race, a urine sample was collected from 'Orama' with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;
5. As the trainer of 'Orama' on 13 May 2022, you presented that horse for the Race not free of cobalt, a prohibited substance when present at a concentration in excess of 100 micrograms per litre in urine.

Charge 5: AHRR 196A(1)(ii)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR;
2. At all relevant times, you were the trainer of 'Glam Rock';
3. On 24 May 2022, the horse 'Glam Rock' was presented for, and participated in, Race 5 at the Mildura harness racing meeting, the "Aaron Bain Racing Supports Pacing For Pink" pace (the Race);
4. You administered, or caused to be administered, to 'Glam Rock' a prohibited substance which was detected in a sample taken from that horse following the running of the Race, in that:
 - a. You administered, or caused to be administered, to 'Glam Rock' cobalt;
 - b. Following the Race, a urine sample was collected from 'Glam Rock', with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;
 - c. Cobalt is a prohibited substance when present at a concentration in excess of 100 micrograms per litre in urine.

Charge 6: AHRR 190(1)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR.
2. At all relevant times, you were the trainer of 'Glam Rock';
3. On 24 May 2022, the horse 'Glam Rock' was presented for, and participated in, Race 5 at the Mildura harness racing meeting, the "Aaron Bain Racing Supports Pacing For Pink" pace (the Race);
4. Following the Race, a urine sample was collected from 'Glam Rock' with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;
5. As the trainer of 'Glam Rock' on 24 May 2022, you presented that horse for the Race not free of cobalt, a prohibited substance when present at a concentration in excess of 100 micrograms per litre in urine.

Charge 7: AHRR 196A(1)(ii)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR;
2. At all relevant times, you were the trainer of 'Blazin Beauty';
3. On 3 June 2022, the horse 'Blazin Beauty' was presented for, and participated in, Race 6 at the Mildura harness racing meeting, the "Good Deal Tyres Pace" (the Race);
4. You administered, or caused to be administered, to 'Blazin Beauty' a prohibited substance which was detected in samples taken from that horse prior to the running of the Race, in that:
 - a. You administered, or caused to be administered, to 'Blazin Beauty' cobalt;
 - b. Prior to the Race, two blood samples were collected from 'Blazin Beauty', with subsequent analysis of those samples revealing cobalt concentrations in excess of the allowable threshold;

c. Cobalt is a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 8: AHRR 190(1)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR.
2. At all relevant times, you were the trainer of 'Blazin Beauty';
3. On 3 June 2022, the horse 'Blazin Beauty' was presented for, and participated in, Race 6 at the Mildura harness racing meeting, the "Good Deal Tyres Pace" (the Race);
4. Prior to the Race, two blood samples were collected from 'Blazin Beauty' with subsequent analysis of those samples revealing cobalt concentrations in excess of the allowable threshold;
5. As the trainer of 'Blazin Beauty' on 3 June 2022, you presented that horse for the Race not free of cobalt, a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 9: AHRR 196A(1)(ii)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR;
2. At all relevant times, you were the trainer of 'Orama';
3. On 3 June 2022, the horse 'Orama' was presented for, and participated in, Race 6 at the Mildura harness racing meeting, the "Good Deal Tyres Pace" (the Race);
4. You administered, or caused to be administered, to 'Orama' a prohibited substance which was detected in samples taken from that horse prior to the running of the Race, in that:
 - a. You administered, or caused to be administered, to 'Orama' cobalt;

- b. Prior to the Race, two blood samples were collected from 'Orama', with subsequent analysis of those samples revealing cobalt concentrations in excess of the allowable threshold;
- c. Cobalt is a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 10: AHRR 190(1)

- 1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR.
- 2. At all relevant times, you were the trainer of 'Orama';
- 3. On 3 June 2022, the horse 'Orama' was presented for, and participated in, Race 6 at the Mildura harness racing meeting, the "Good Deal Tyres Pace" (the Race);
- 4. Prior to the Race, two blood samples were collected from 'Orama' with subsequent analysis of those samples revealing cobalt concentrations in excess of the allowable threshold;
- 5. As the trainer of 'Orama' on 3 June 2022, you presented that horse for the Race not free of cobalt, a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 11: AHRR 196a(1)(ii)

- 1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR;
- 2. At all relevant times, you were the trainer of 'Wilshire Boulevard';
- 3. On 3 June 2022, the horse 'Wilshire Boulevard' was presented for, and participated in, Race 7 at the Mildura harness racing meeting, the "Tasco Petroleum Pace";
- 4. You administered, or caused to be administered, to 'Wilshire Boulevard' a prohibited substance which was detected in a sample taken from that horse prior to the running of the Race, in that:

- a. You administered, or caused to be administered, to 'Wilshire Boulevard' cobalt;
- b. Prior to the Race, two blood samples and a urine sample were collected from 'Wilshire Boulevard', with subsequent analysis of those samples revealing cobalt concentrations in excess of the allowable thresholds;
- c. Cobalt is a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma or 100 micrograms per litre in urine.

Charge 12: AHRR 190(1)

- 1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR.
- 2. At all relevant times, you were the trainer of 'Wilshire Boulevard';
- 3. On 3 June 2022, the horse 'Wilshire Boulevard' was presented for, and participated in, Race 7 at the Mildura harness racing meeting, the "Tasco Petroleum Pace" (the Race);
- 4. Prior to the Race, two blood samples and a urine sample were collected from 'Wilshire Boulevard' with subsequent analysis of those samples revealing cobalt concentrations in excess of the allowable thresholds;
- 5. As the trainer of 'Wilshire Boulevard' on 3 June 2022, you presented that horse for the Race not free of cobalt, a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma or 100 micrograms per litre in urine.

Charge 13: AHRR 196A(1)(ii)

- 1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR;
- 2. At all relevant times, you were the trainer of 'Glam Rock';
- 3. On 3 June 2022, the horse 'Glam Rock' was presented for, and participated in, Race 5 at the Mildura harness racing meeting, the "McDonald's Mildura & Irymple Pace" (the Race);

4. You administered, or caused to be administered, to 'Glam Rock' a prohibited substance which was detected in a sample taken from that horse prior to the running of the Race, in that:

- a. You administered, or caused to be administered, to 'Glam Rock' cobalt;
- b. Prior to the Race, a blood sample was collected from 'Glam Rock', with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;
- c. Cobalt is a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 14: AHRR 190(1)

- 1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR.
- 2. At all relevant times, you were the trainer of 'Glam Rock';
- 3. On 3 June 2022, the horse 'Glam Rock' was presented for, and participated in, Race 5 at the Mildura harness racing meeting, the "McDonald's Mildura & Irymple Pace" (the Race);
- 4. Prior to the Race, a blood sample was collected from 'Glam Rock' with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;
- 5. As the trainer of 'Glam Rock' on 3 June 2022, you presented that horse for the Race not free of cobalt, a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 15: AHRR 196A(1)(ii)

- 1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR;
- 2. At all relevant times, you were the trainer of 'James Charles';

3. On 3 June 2022, the horse 'James Charles' was presented for, and participated in, Race 11 at the Mildura harness racing meeting, the "One Stop Wholesalers Mildura Pace" (the Race);

4. You administered, or caused to be administered, to 'James Charles' a prohibited substance which was detected in a sample taken from that horse prior to the running of the Race, in that:

a. You administered, or caused to be administered, to 'James Charles' cobalt;

b. Prior to the Race, a blood sample was collected from 'James Charles', with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;

c. Cobalt is a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 16: AHRR 190(1)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR.

2. At all relevant times, you were the trainer of 'James Charles';

3. On 3 June 2022, the horse 'James Charles' was presented for, and participated in, Race 11 at the Mildura harness racing meeting, the "One Stop Wholesalers Mildura Pace" (the Race);

4. Prior to the Race, a blood sample was collected from 'James Charles' with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;

5. As the trainer of 'James Charles' on 3 June 2022, you presented that horse for the Race not free of cobalt, a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 17: AHRR 196A(1)(ii)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR;

2. At all relevant times, you were the trainer of 'Overreaction';
3. On 3 June 2022, the horse 'Overreaction' was presented for, and participated in, Race 12 at the Mildura harness racing meeting, the "TAB Long May We Play Pace" (the Race);
4. You administered, or caused to be administered, to 'Overreaction' a prohibited substance which was detected in a sample taken from that horse prior to the running of the Race, in that:
 - a. You administered, or caused to be administered, to 'Overreaction' cobalt;
 - b. Prior to the Race, a blood sample was collected from 'Overreaction', with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;
 - c. Cobalt is a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 18: AHRR 190(1)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR.
2. At all relevant times, you were the trainer of 'Overreaction';
3. On 3 June 2022, the horse 'Overreaction' was presented for, and participated in, Race 12 at the Mildura harness racing meeting, the "TAB Long May We Play Pace" (the Race);
4. Prior to the Race, a blood sample was collected from 'Overreaction' with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;
5. As the trainer of 'Overreaction' on 3 June 2022, you presented that horse for the Race not free of cobalt, a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 19: AHRR 196A(1)(ii)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR;
2. At all relevant times, you were the trainer of 'This Is Bill';
3. On 3 June 2022, the horse 'This Is Bill' was presented for, and participated in, Race 2 at the Mildura harness racing meeting, the "Gateway Mildura Pace" (the Race);
4. You administered, or caused to be administered, to 'This Is Bill' a prohibited substance which was detected in a sample taken from that horse prior to the running of the Race, in that:
 - a. You administered, or caused to be administered, to 'This Is Bill' cobalt;
 - b. Prior to the Race, a blood sample was collected from 'This Is Bill', with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;
 - c. Cobalt is a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 20: AHRR 190(1)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR.
2. At all relevant times, you were the trainer of 'This Is Bill';
3. On 3 June 2022, the horse 'This Is Bill' was presented for, and participated in, Race 2 at the Mildura harness racing meeting, the "Gateway Mildura Pace" (the Race);
4. Prior to the Race, a blood sample was collected from 'This Is Bill' with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;

5. As the trainer of 'This Is Bill' on 3 June 2022, you presented that horse for the Race not free of cobalt, a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 21: AHRR 196A(1)(ii)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR;

2. At all relevant times, you were the trainer of 'Overreaction';

3. On 10 June 2022, the horse 'Overreaction' was presented for, and participated in, Race 2 at the Mildura harness racing meeting "The Gateway Pace" (the Race);

4. You administered, or caused to be administered, to 'Overreaction' a prohibited substance which was detected in a sample taken from that horse prior to the running of the Race, in that:

a. You administered, or caused to be administered, to 'Overreaction' cobalt;

b. Prior to the Race, a blood sample and a urine sample were collected from 'Orama', with subsequent analysis of those samples revealing cobalt concentrations in excess of the allowable thresholds;

c. Cobalt is a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma or 100 micrograms per litre in urine.

Charge 22: AHRR 190(1)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR.

2. At all relevant times, you were the trainer of 'Overreaction';

3. On 10 June 2022, the horse 'Overreaction' was presented for, and participated in, Race 2 at the Mildura harness racing meeting, "The Gateway Pace" (the Race);

4. Prior to the Race, a blood sample and a urine sample were collected from 'Overreaction' with subsequent analysis of those samples revealing cobalt concentrations in excess of the allowable thresholds;

5. As the trainer of 'Overreaction' on 10 June 2022, you presented that horse for the Race not free of cobalt, a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma or 100 micrograms per litre in urine.

Charge 23: AHRR 196A(1)(ii)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR;

2. At all relevant times, you were the trainer of 'James Charles';

3. On 10 June 2022, the horse 'James Charles' was presented for, and participated in, Race 4 at the Mildura harness racing meeting, the "Zilzie Wines Pace" (the Race);

4. You administered, or caused to be administered, to 'James Charles' a prohibited substance which was detected in a sample taken from that horse prior to the running of the Race, in that:

a. You administered, or caused to be administered, to 'James Charles' cobalt;

b. Prior to the Race, a blood sample was collected from 'James Charles', with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;

c. Cobalt is a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 24: AHRR 190(1)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR.

2. At all relevant times, you were the trainer of 'James Charles';

3. On 10 June 2022, the horse 'James Charles' was presented for, and participated in, Race 4 at the Mildura harness racing meeting, the "Zilzie Wines Pace" (the Race);

4. Prior to the Race, a blood sample was collected from 'James Charles' with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;

5. As the trainer of 'James Charles' on 10 June 2022, you presented that horse for the Race not free of cobalt, a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 25: AHRR 196A(1)(ii)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR;

2. At all relevant times, you were the trainer of 'Miss Twinkle';

3. On 10 June 2022, the horse 'Miss Twinkle' was presented for, and participated in, Race 5 at the Mildura harness racing meeting, the "Park Douglas Printing Pace" (the Race);

4. You administered, or caused to be administered, to 'Miss Twinkle' a prohibited substance which was detected in a sample taken from that horse prior to the running of the Race, in that:

a. You administered, or caused to be administered, to 'Miss Twinkle' cobalt;

b. Prior to the Race, a blood sample was collected from 'Miss Twinkle', with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;

c. Cobalt is a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 26: AHRR 190(1)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR.

2. At all relevant times, you were the trainer of 'Miss Twinkle';
3. On 10 June 2022, the horse 'Miss Twinkle' was presented for, and participated in, Race 5 at the Mildura harness racing meeting, the "Park Douglas Printing Pace" (the Race);
4. Prior to the Race, a blood sample was collected from 'Miss Twinkle' with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;
5. As the trainer of 'Miss Twinkle' on 10 June 2022, you presented that horse for the Race not free of cobalt, a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 27: AHRR 196A(1)(ii)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR;
2. At all relevant times, you were the trainer of 'This Is Bill';
3. On 10 June 2022, the horse 'This Is Bill' was presented for, and participated in, Race 6 at the Mildura harness racing meeting, the "Laser Signs & Print Pace" (the Race);
4. You administered, or caused to be administered, to 'This Is Bill' a prohibited substance which was detected in a sample taken from that horse prior to the running of the Race, in that:
 - a. You administered, or caused to be administered, to 'This Is Bill' cobalt;
 - b. Prior to the Race, a blood sample was collected from 'This Is Bill', with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;
 - c. Cobalt is a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 28: AHRR 190(1)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR.
2. At all relevant times, you were the trainer of 'This Is Bill';
3. On 10 June 2022, the horse 'This Is Bill' was presented for, and participated in, Race 6 at the Mildura harness racing meeting, the "Laser Signs & Print Pace" (the Race);
4. Prior to the Race, a blood sample was collected from 'This Is Bill' with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;
5. As the trainer of 'This Is Bill' on 10 June 2022, you presented that horse for the Race not free of cobalt, a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 29: AHRR 196A(1)(ii)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR;
2. At all relevant times, you were the trainer of 'Wilshire Boulevard';
3. On 10 June 2022, the horse 'Wilshire Boulevard' was presented for, and participated in, Race 8 at the Mildura harness racing meeting, the "Tankard Dental Pace" (the Race);
4. You administered, or caused to be administered, to 'Wilshire Boulevard' a prohibited substance which was detected in samples taken from that horse prior to the running of the Race, in that:
 - a. You administered, or caused to be administered, to 'Wilshire Boulevard' cobalt;
 - b. Prior to the Race, a blood sample and a urine sample were collected from 'Wilshire Boulevard', with subsequent analysis of those samples revealing cobalt concentrations in excess of the allowable thresholds;

c. Cobalt is a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma or 100 micrograms per litre in urine.

Charge 30: AHRR 190(1)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR.
2. At all relevant times, you were the trainer of 'Wilshire Boulevard';
3. On 10 June 2022, the horse 'Wilshire Boulevard' was presented for, and participated in, Race 8 at the Mildura harness racing meeting, the "Tankard Dental Pace" (the Race);
4. Prior to the Race, a blood sample and a urine sample were collected from 'Wilshire Boulevard' with subsequent analysis of those samples revealing cobalt concentrations in excess of the allowable thresholds;
5. As the trainer of 'Wilshire Boulevard' on 10 June 2022, you presented that horse for the Race not free of cobalt, a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma or 100 micrograms per litre in urine.

Charge 31: AHRR 196A(1)(ii)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR;
2. At all relevant times, you were the trainer of 'Orama';
3. On 10 June 2022, the horse 'Orama' was presented for, and participated in, Race 9 at the Mildura harness racing meeting, the "Tasco Petroleum Pace" (the Race);
4. You administered, or caused to be administered, to 'Orama' a prohibited substance which was detected in a sample taken from that horse prior to the running of the Race, in that:
 - a. You administered, or caused to be administered, to 'Orama' cobalt;

b. Prior to the Race, a blood sample and a urine sample were collected from 'Orama', with subsequent analysis of those samples revealing cobalt concentrations in excess of the allowable thresholds;

c. Cobalt is a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma or 100 micrograms per litre in urine.

Charge 32: AHRR 190(1)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR.

2. At all relevant times, you were the trainer of 'Orama';

3. On 10 June 2022, the horse 'Orama' was presented for, and participated in, Race 9 at the Mildura harness racing meeting, the "Tasco Petroleum Pace" (the Race);

4. Prior to the Race, a blood sample and a urine sample were collected from 'Orama' with subsequent analysis of those samples revealing a cobalt concentration in excess of the allowable threshold;

5. As the trainer of 'Orama' on 10 June 2022, you presented that horse for the Race not free of cobalt, a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma or 100 micrograms per litre in urine.

Charge 33: AHRR 196A(1)(ii)

1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR;

2. At all relevant times, you were the trainer of 'Springfield Shadow';

3. On 17 June 2022, the horse 'Springfield Shadow' was presented for, and participated in, Race 12 at the Mildura harness racing meeting, the "TAB Long May We Play Pace" (the Race);

4. You administered, or caused to be administered, to 'Springfield Shadow' a prohibited substance which was detected in a sample taken from that horse prior to the running of the Race, in that:

- a. You administered, or caused to be administered, to 'Springfield Shadow' cobalt;
- b. Prior to the Race, a blood sample was collected from 'Springfield Shadow', with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;
- c. Cobalt is a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Charge 34: AHRR 190(1)

- 1. At all relevant times, you were a licensed trainer with HRV and a person bound by the AHRR.
- 2. At all relevant times, you were the trainer of 'Springfield Shadow';
- 3. On 17 June 2022, the horse 'Springfield Shadow' was presented for, and participated in, Race 12 at the Mildura harness racing meeting, the "TAB Long May We Play Pace" (the Race);
- 4. Prior to the Race, a blood sample was collected from 'Springfield Shadow' with subsequent analysis of that sample revealing a cobalt concentration in excess of the allowable threshold;
- 5. As the trainer of 'Springfield Shadow' on 17 June 2022, you presented that horse for the Race not free of cobalt, a prohibited substance when present at a concentration in excess of 25 micrograms per litre in plasma.

Pleas: Not Guilty to Charges 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31 and 33.

Guilty to Charges 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32 and 34.

DECISION

- 1. We have found Mr Garraway not guilty of 17 charges of administration. He has pleaded guilty to 17 charges of presentation. We must now impose a penalty on him in relation to the presentation charges.

2. In doing so, we note that the Tribunal and its predecessor have never dealt with a case involving such a large number of separate presentation offences. The offences involve nine different horses, over a period of several weeks, from 3 May to 17 June 2022.
3. The Stewards rightly point out that past penalties for presentation offences are of limited assistance, given that racing participants are usually charged with either a single offence, or a short series of offences.
4. The Stewards have also rightly emphasised that the possession of a trainer's licence is a privilege, not a right, and it is difficult to accept that a trainer who had been dealt with for so many offences could be entrusted with the privilege to train horses again for a significant time.
5. We agree with the submission of the Stewards that this series of offences are very concerning and pose a threat to the integrity and image of the sport, given that 17 races in one geographic location have been potentially compromised by the presence of drugs in the horses who competed in those races.
6. We also note and accept the submission of the Stewards that the extremely high levels of cobalt found in many of the horses is alarming when considering the potential effects on the health of those horses. Cobalt can be toxic at high levels, and here, some of the levels are extraordinarily high. A safe level is considered to be 25mcg in blood. Testing showed levels of up to 1365 mcg in Mr Garraway's horses.
7. These matters make it plain that an analysis of past approaches by the Tribunal to impose penalties for presentation offences are of limited assistance.
8. The Stewards have submitted that this offending has significantly compromised the integrity of the sport and that it is vital that a severe punishment be imposed to send a strong message to all racing participants.
9. The Stewards also submit that specific deterrence is a significant factor. Mr Garraway has three relevant priors. He was dealt with by the Harness Racing Victoria ("HRV") RADB for a presentation offence in 2013 – on this occasion the substance was caffeine. He was dealt with by this Tribunal for a presentation offence in March of 2022 – on that occasion the substance was arsenic. On both those occasions he received a fine.
10. He was further dealt with by the relevant racing authority in South Australia for a presentation offence involving cobalt some 10 years ago. On that occasion, an initial penalty of three years disqualification was reduced to 18 months on appeal. In that case,

Mr Garraway had unknowingly fed an off the shelf product containing excessive cobalt to his horses.

11. The Stewards submitted that it was plain that Mr Garraway had learnt little if anything from his previous presentation offences, and this should be reflected in the penalty to be imposed in this case.
12. In all the circumstances, the Stewards called for a lengthy period of disqualification of up to four years.
13. As we have indicated in the decision of 30 April 2026, we have found Mr Garraway not guilty of the administration charges brought against him. In coming to this conclusion, we have determined that we were unable to come to a conclusion as to what caused the extraordinary levels of cobalt found in his horses. We found Mr Garraway to be a truthful, though at times, belligerent witness.
14. We accept that the finding of cobalt in such levels in his horses and his consequent standing down of his horses has caused him significant financial losses and that this matter has been hanging over his head for a very significant amount of time. We accept that he has pleaded guilty to each presentation charge and we must take those pleas into account in his favour when imposing a penalty.
15. This Tribunal has previously considered the appropriate way to approach sentencing for presentation offences. A presentation charge does not require any knowledge by the racing participant of the presence of the contaminant. It may appear harsh, but the reality is that all racing participants are under an absolute obligation to ensure a drug free environment for their horses. The presence of drugs in racing jeopardises the very existence of the sport.
16. The Tribunal has in the past carefully analysed issues of blameworthiness in presentation cases, endeavouring to take into account various levels of blameworthiness depending on the circumstances in which the contamination occurred.
17. In *McDonough* (2008) VRAT6, three levels of potential culpability were outlined. The first was where positive culpability could be established. The second was where the Tribunal was left with no real idea as to how the prohibited substance came to be present in the horse. The third was where the person charged provides an explanation which positively demonstrates that the trainer bears no culpability for the contamination. However, of course the trainer is still under the Rule responsible for it having occurred.

18. In the third category of case, the Tribunal has tended to impose low penalties commensurate with the circumstances, and in some cases has recognised that general deterrence is not a relevant consideration when imposing penalties.
19. In the recent decision of *Racing Victoria v Smiley Chan and Ors* (VRT 23 March 2026), the racing participants submitted that in a case where no conclusion could be drawn as to causation, general deterrence could not apply, and no financial penalty should be imposed. This submission was rejected by the Tribunal and a modest financial penalty imposed.
20. We treat this case as coming into the second category outlined in McDonough. There is no evidence before us of how the cobalt came to be present in the horses. We have no positive explanation demonstrating Mr Garraway's innocence either. We are very much aware that the effects of disqualification on Mr Garraway will be very significant indeed. We have carefully considered the matters which he put forward in mitigation in imposing a penalty today.
21. We also note his guilty plea to each of these charges. He entered a guilty plea at an early stage, and we have taken this into account in his favour when considering penalty.
22. Mr Garraway is clearly still responsible as the trainer of the horses to present them free of any prohibited substance. The penalty must reflect that responsibility.
23. We regard the offences before us as falling into three distinct periods. The first period relates to the offending in May 2022, prior to Mr Garraway's first notification from the Stewards that excessive levels of cobalt had been detected in his horses.
24. When imposing a penalty for these May offences, we do so taking into consideration that Mr Garraway had no knowledge of, and no reason to suspect that cobalt was present in his horses on these three occasions.
25. This reasoning relates to Charges 2, 4 and 6. In our view, the appropriate penalties for these charges are a short period of actual suspension. However, we have determined that the later charges should attract a significant period of disqualification, we have decided to deal with these earlier offences by imposing significant fines.
26. The second period relates to the period from 3 to 17 June. On 3 June, prior to the running of races in which Mr Garraway's horses were entered, he was notified by the Stewards of the presence of cobalt detected in race day samples from two of his other horses.

27. We have found that his decision to not withdraw his horses from the races scheduled for 3 June and 10 June following that notification was understandable and did not lead to any adverse inferences being drawn against him in the liability hearing.
28. However, we do regard that failure as significant in this penalty hearing.
29. At the conclusion of the Inquiry on 3 June, the Stewards conducting the Inquiry suggested to him that he should start thinking about whether he should race the horses listed to race that day, pointing out that it was risky, given that those horses had been treated in exactly the same way as the horses which had tested positive.
30. Mr Garraway refused to scratch the horses.
31. We regard it as foolhardy of him not to have immediately withdrawn all horses entered to race on 3 June pending further Inquiries. This failure significantly aggravates the offending on Charges 8, 10, 12, 14, 16, 18 and 20 (the 3 June races) and Charges 22, 24, 26, 28, 30 and 32 (the 10 June races).
32. The third period is that after 17 June 2022. On 17 June, he was again informed by the Stewards of positive cobalt readings to several of his horses.
33. Once again, he decided not to withdraw “Springfield Shadow”, which he had entered to race that day. Indeed, when later questioned, he told Stewards that he would have continued to race all of the horses from his stables had they not been stood down, notwithstanding the multiple positive swabs, as he was convinced that he had done nothing wrong.
34. Once again, we have not treated his response to this information as indicative of guilt in relation to the administration offences. However, we do find it extraordinary that he continued to allow his horses to run after that date.
35. By that time, he must have been clearly aware that his decision to race the horses on 3 and 10 June had been foolhardy. He appears to have left it to the Stewards to try and work out the source of the contamination. He does not appear to have taken any steps to change his procedures or minimise his risk despite this second notification.
36. He does not appear to have understood the absolute duty imposed on him to ensure that his horses were presented drug free, despite having been dealt with on three prior occasions for presentation offences. He was prepared to take the risk of compromising the integrity of the race.

37. We regard this cavalier approach as highly deserving of condemnation.

38. This significantly aggravates his behaviour in relation to Charge 34.

PENALTIES

39. On Charges 2, 4 and 6 (the May races), the penalties which we impose are a fine of \$5,000 on each charge. These fines are to be cumulative, making a total effective fine of \$15,000 to reflect the fact that each of the offences took place on different occasions.

40. On each of Charges 8, 10, 12, 14, 16, 18, 20 (3 June offending) and each of Charges 22, 24, 26, 28, 30 and 32 (the 10 June offending) we impose a period of 12 months disqualification.

41. The penalties announced so far are to be served concurrently with each other, except that we order that six months of the period imposed for the 10 June offending be served cumulatively on the periods imposed for the 3 June offending, making a total period of disqualification of 18 months.

42. On Charge 34 (the 17 June offending), he is disqualified for a period of two years. 18 months of this period of disqualification is to be served cumulatively on the penalties announced for the 3 June offending and the 10 June offending. This makes a total period of disqualification of three years to commence immediately.

43. In addition, each horse is disqualified from the race they competed in and the finishing orders are amended accordingly.

Mark Howard

Registrar, Victorian Racing Tribunal