



## **BHA Equine Anti-Doping Rules – Breaches and Penalties**

This is a brief summary of the rules in force from 2020 – in essence the breaches are the same as under the previous rules

Trainers must read the full rules and guidance from the BHA – this can be found in the Equine Anti Doping area of the BHA website.

It is not necessary for the BHA to demonstrate fault, negligence or knowing use for a person to be found in breach – that does, though, not negate the need to take all reasonable precautions to avoid a breach.

**Breaches of the equine anti-doping rules** can occur in the following way

A positive sample of a prohibited substance – in the case of a position from blood or urine, this is strict liability upon the responsible person

**Use or attempted use** of a prohibited substance or prohibited method

**Failure to making a horse available for sampling** – evading, refusing or failing to submit to sample collection even where the responsible person is not aware of the test or in attendance at the test

**Tampering or attempted tampering** with any part of the doping control

**Administration or attempted administration** of any prohibited substance or a prohibited method

**Possession of a prohibited substance** without acceptable justification (a trainer will not be able to justify the possession of a prohibited at all times substance other than for legitimate personal use)

**Possession of products, equipment or substances** that allow for administration of a prohibited substances when prohibited under the rules (this may be an item that is prohibited at all times or just prohibited in certain circumstances, for example something that may be able to be used on a non-raceday but is prohibited if brought into the racecourse stables).

**Whereabouts failure** the responsible person must ensure that the BHA always possesses sufficient information to locate a horse at any time – failure to provide such information or update such information on three occasions within 12-month period will trigger a breach.

**Trafficking or attempted trafficking** in any substance or method which is prohibited at all times

## **Penalties**

The penalty structure distinguishes between prohibited at all times and one for prohibited on raceday. In both cases a two stage approach is taken

Stage one – the Disciplinary Panel assesses the level of culpability of the Responsible Person by reference to the facts relating to the source, the involvement of the responsible person and the precautions in place at the yard.

Stage two - having established the level of culpability the Panel will decide the penalty using the penalty guidelines and looking at aggravating or mitigating factors.

### **Prohibited at all times**

The penalty will depend upon the nature of the breach – for a “low” level breach the entry point is a 2 years disqualification suspended for 24 months & financial penalty of £1,000; for a “high” level breach the entry point is 2 years disqualification with the Panel able to disqualify for up to 10 years.

### **Prohibited on raceday**

Again the penalty will depend upon the nature of the breach – it could range from a caution for a low level breach with reasonable precautions taken and an early admission of the breach through to 10 years disqualification for a high level offence with the most serious level of culpability and failure on the part of the responsible person.

### **Evasion/refusal/failure to submit a horse for testing**

These are treated similarly to a positive test for prohibited at all time substance so could result in a disqualification of between one and ten years, and the horse being suspended for two years depending on the category of offence. A negligent failure to submit a horse for testing could still result in disqualification for a period between 6 months and 5 years and a year long suspension for the horse.

### **Whereabouts failure**

A whereabouts failure could also lead to disqualification from 1 month to 3 years or a fine of between £1,000 - £5,000. There are a range of penalties to reflect whether there was an attempt to avoid testing or an administrative breach.

## **Consequences for the horse**

The horse may be provisionally suspended from racing. In the case of a prohibited at all time substance the horse will be suspended from racing for 14 months and a 12 month stand down period from training (to run concurrently) will have to undergo re-instatement testing.

The period of disqualification, suspension and stand down will commence from the date the breach occurred, i.e. the date the sample was collected or the date the substance was administered if evidenced through other means.

Where the breach relates to a specific race, the horse will be disqualified from the race and prize money withheld/returned.