



# THE BLACK HORSE NEWSLETTER

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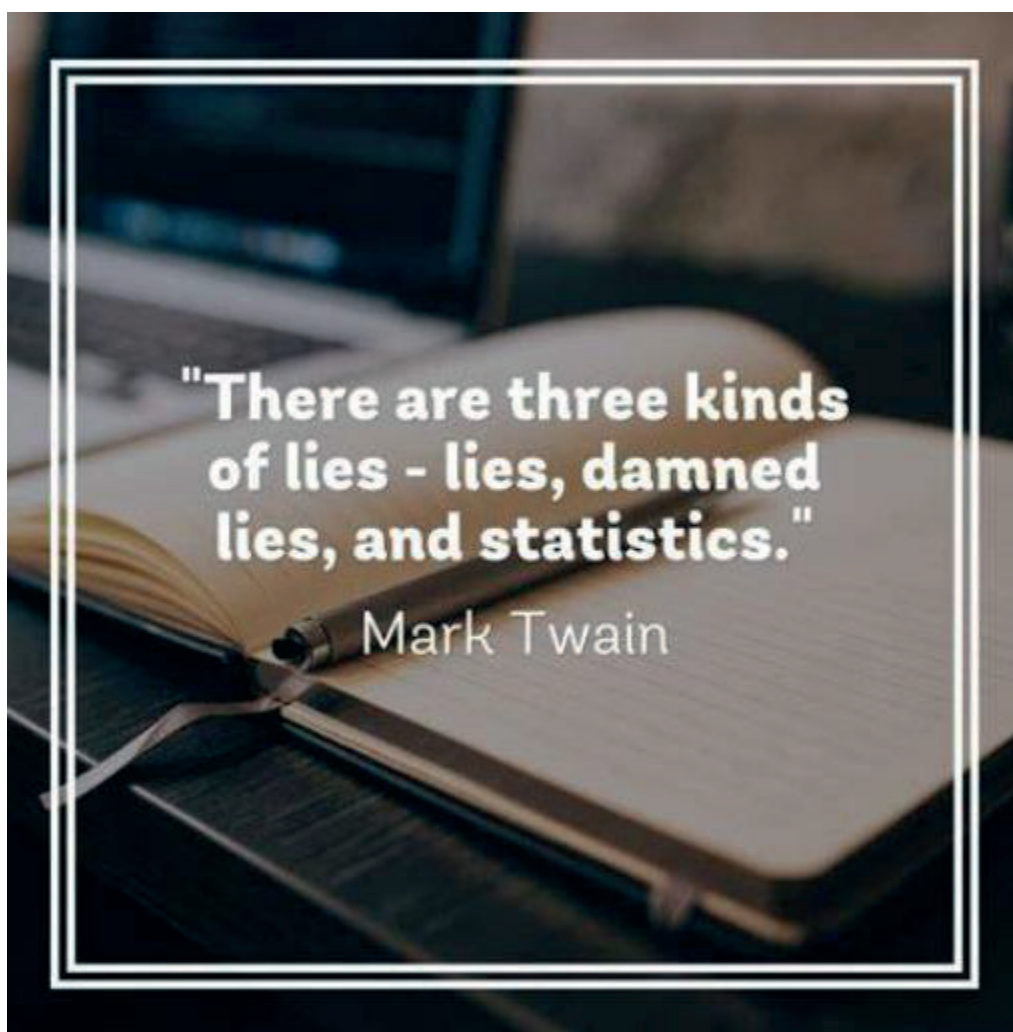
ISSUE 9

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Shining a fierce light on the **GREED, CORRUPTION, EXPLOITATION**  
and **INJUSTICE** in horse racing and bloodstock around the world



**LIES DAMNED  
LIES AND  
STATISTICS**

**FAIRY STORY  
FROM THE  
CHIEF VET**

**TIME TO ASK  
O'BRIEN SOME  
QUESTIONS**

**SILENCE IS  
THEIR ONLY  
ANSWER**

# LIES DAMNED LIES AND STATISTICS

## **Lukashenko caught with his paws in the cookie jar**

Irish racing has been regulated by the Turf Club, a secretive private members club comprising millionaire businessmen and land owners, politicians, lawyers and judges, since 1791.

In a belated attempt to at least pretend that it's independent, the Turf Club set up the Irish Horseracing Regulatory Board (IHRB) to operate from 1 January 2018.

Make no mistake, though - to this day nothing has effectively changed since 1791 - the IHRB isn't independent but is owned and controlled by the Turf Club to represent the vested interests of the richest racehorse owners in Ireland.

Crucially, one key ingredient - integrity - hasn't evolved to meet the requirements of the 21st century. The modern proliferation of illegal equine drugs, multiple jockeys testing positive for cocaine and betting scams seemingly every other week have turned racing into an ever growing Wild West of corruption.

Disciplinary hearings held in secret and heavily edited reports on them when published on the IHRB website are compounded by the regulator's blanket refusal to answer media questions about what is really going on.

Despite receiving over E10m of public funds every year, the Information Commissioner has decided the IHRB is not subject to Freedom of Information laws, but pressure on the IHRB to become more transparent has nevertheless been rising steadily since its inception in 2018.

Denis Egan had been in charge of the Turf Club for twenty years and modelled himself on the Belarusian despot Lukashenko, but he couldn't stand the heat in the kitchen following Jim Bolger's claim there was a Lance Armstrong in Irish racing.

**Egan knew who the biggest dopers were and could see where all this was heading. He decided to make a run for it, but his cunning little plan to leave with a massive pay-off has backfired because of the diligence of one man - Seamus McCarthy, the country's custodian of how public money is spent.**

**In 2021, Egan announced an early retirement and voluntary redundancy scheme for IHRB staff. No explanation was given of the need for such a scheme; far from wanting to slim down the organisation, it was expanding its activities and workforce to comply with the growing demands of modern sporting regulation.**

**Just weeks after the announcement, with the jittery chief executive's bottle gone, he applied for and was granted early retirement under the terms of his own grand plan, which offered a pay-out considerably in excess of statutory limits. He was by some way the main beneficiary of the deal he put together.**



**Egan (pictured) left the IHRB in September 2021 with a golden handshake courtesy of the board of directors at that time - Harry McCalmont, Martin O'Donnell, John Power, Philip McLernon, David McCorkell and John Byrne - who couldn't do enough to grant Egan's dream of scamming taxpayers.**

**Typically of the secretive way Irish racing is conducted, the terms of his departure were protected from scrutiny by a confidentiality agreement with no regard for the rapidly escalating near E100 million of public funds pumped into racing every year. Or so the crooks at the top of the IHRB thought.**

**Furthermore, when I made a Freedom Of Information request to the Department of Agriculture, Food and the Marine (DAFM), which is supposed to independently oversee the way the IHRB operates, the scam had become a contagion. DAFM were in on the planned deception.**

**The public had a fundamental right to know how their money was being thrown away to give the conniving Egan a fat pay-off he wasn't entitled to.**

However, Liam Devine, Higher Executive Officer, Horse and Greyhound Racing Section, had a different agenda. In refusing to provide the information I sought, he said:

*“The public interest test has been applied to this request. On balance I have decided that the public interest is best served in protecting the contractual and privacy rights of third parties.”*

The Department of Agriculture doesn't give a flying fairy about Ireland's taxpayers. Devine even had a couple of back-up reasons for keeping the rip-off under wraps, just to make sure that what goes on in the Department of Agriculture stays in the Department of Agriculture, or so he thought.

He argued that the information was commercially sensitive and “the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken.”

It's the standard get out of jail card in FOI requests - DAFM claimed to hold no records about Egan's special deal. They just can't help lying.

The IHRB and the Minister for Agriculture clearly expected this would be the end of the matter, and it would have been but for the intervention of McCarthy, who heads up the Office of Comptroller and Auditor General (C&AG).

This year the C&AG is celebrating one hundred years of guaranteeing independent accountability that public funds are used according to the law and it's typical of the arrogance of racing's big shots that they thought they were so smart and McCarthy and his team were so dim and would be asleep on the job.

Egan and the IHRB directors were caught with their dirty little paws in the cookie jar. They broke the law and they must now pay for it; Egan has gone but not forgotten for all the wrong reasons - he's a crook - and the position of the directors still in situ is untenable and they must follow him through the exit door.

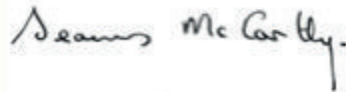
How is it right that Egan got over E300,000 of public funds on top of the near E200,000 annual salary he had awarded himself for turning the IHRB into a comedy show? Like Egan, the directors are a disgrace and cannot be trusted.

**This is how McCarthy described Egan's extraordinary early retirement payment in the IHRB's 2021 accounts just released.**

**Former CEO's early retirement payment**

On 11 May 2021, the then CEO announced via email that an early retirement and voluntary redundancy scheme would be available to Irish Horseracing Regulatory Board staff. The conditions for eligibility for early retirement were outlined in a separate scheme description. Early retirement payments to those admitted to the scheme were to be based on length of service (with the Board or its predecessor), subject to certain maximum levels. The scheme stated that "Maximum [early retirement] payment to any individual would not exceed 104 weeks of salary and/or an equivalent redundancy calculation. There will be no exception to this."

The CEO subsequently applied for, and was granted, early retirement. A formal agreement was concluded on 11 June 2021 providing for the termination of his employment with effect from 30 September 2021. The terms of the agreement included a termination payment of €384,870. This was €141,880 (58%) more than the amount payable if the scheme conditions had been applied as stated. Accordingly, the terms agreed with the former CEO were, to a significant extent, an exception to the provisions of the Board's early retirement scheme.



Seamus McCarthy  
Comptroller and Auditor General  
21 December 2022

**A statement from IHRB subsequently claimed that the extra payment which broke the rules governing the early retirement scheme - E141,880 - had not been paid out of public funds but was an additional contribution made by the Turf Club in recognition of Egan's service to Irish racing, such that it was.**

**The accounts show this isn't true.**

**It is clear that the payment was irrefutably made by the IHRB out of the public purse when Egan retired in 2021, but the Turf Club claimed after they were rumbled it would be reimbursing the regulator this amount the following year.**

**Mr McCarthy clearly didn't like what had been going on, so he did his job and exposed it.**

**IHRB had to hastily rewrite the financial statements to show the Turf Club had made provision to repay the E141,880. This was not the original plan, it was intended to be a stitch-up of public funds until the IHRB was caught red handed.**

**They were forced to delay officially filing their accounts for six months as they worked out what to do. The accounts should have been filed by 30 September 2022, but company records show that didn't happen until 16 March 2023, a delay for which they will have incurred a financial penalty. Who cares? Screw the taxpayers.**

**Minister of Agriculture, Charlie McConalogue, was also all talk and no action in the latest IHRB Equine Anti-Doping Report.**

***“Irish racing’s continued strength and hard-earned reputation as a global leader is dependent on participants, stakeholders, and the the public all having confidence in the integrity of the sport. Strong regulation is vital if we are going to sustain the strength of this industry on a national and global scale and retain the trust of stakeholders and the public.”***

**But McConalogue had signed off Egan’s bent payment; he is just as culpable. The regulation of Irish racing has repeatedly proven to be weak and ineffective and public confidence in the integrity of the sport has been shot to pieces by the habitual cover-ups. The lies and crooked statistics have now found the IHRB out.**

**No anti-doping report was announced for its first year in operation in 2018, but numbers were eventually provided which covered six years from 2014-19.**

#### **IHRB STATEMENT ON ANTI-DOPING TESTING - 20 DECEMBER 2020**

- **Since 2016, IHRB claimed it had grown the anti-doping programme with a 12% increase in samples taken on the racecourse including urine, blood and hair samples.**
- **They further alleged there had been a 236% increase in the number of samples taken away from the racecourse and out of competition testing had increased from 8% of the total samples in 2016 to 21% of total samples in 2019.**

- For 2021, it estimated over 4,000 horses would be tested and procedures and processes would be developed to maximise the effectiveness of raceday anti-doping which would be considered “best global practice.”
- While the C&AG audits the IHRB’s financial statements, no independent verification is undertaken as to the accuracy or honesty of its anti-doping statistics. It must be remembered the IHRB is owned by the Turf Club, a private organisation owned by Ireland’s racing elite and led by Coolmore Stud.
- The anti-doping statistics have never been audited by any independent authority and it’s obviously in the IHRB’s interests to paint the most favourable picture possible, even if it means telling a pack of lies.

## 6. Drug Testing of Horses

	2019	2018	2017	2016	2015	2014
Number of racecourse samples	3,004	3,034	3,074	2,684	2,629	2,607
Number of Point-to-Point samples	617	616	613	625	545	327
Number of Out of Competition samples	778	582	407	231	141	151
<b>Totals</b>	<b>4,399</b>	<b>4,232</b>	<b>4,094</b>	<b>3,540</b>	<b>3,540</b>	<b>3,085</b>
Number of positives	13	27	5	5	5	2

30/03/2020

3.

Further unverified figures relating to the anti-doping programme have continued to be supplied up to the end of 2022 so that a proper comparison for the five years since the IHRB was created is now possible.

Interestingly, in the years the number of samples tested have increased but the funds the IHRB has spent on analysing them has decreased. How can that be correct, particularly when the volume of expensive hair tests have grown considerably over the last couple of years? More should have been spent every year just to stand still.

Costs should have increased substantially but, for example, E1.7 million was spent on 4232 samples tested in 2018 whereas E1.5 million was spent on 5952 tests (40% more) in 2021. It's plainly obvious why Hillyer and Guy refuse to face the media to answer questions about these figures.

These are the official stats.

Year	Number of equine samples tested according to anti-doping reports	Funds spent on testing samples according to IHRB accounts
2018	4232	E1,717,025
2019	4399	E1,232,397
2020	3224	E 923,097
2021	5952	E1,576,810
2022	5417	No figure available to date

The parliamentary report on the investigation into Irish racing that emanated from Bolger's warning about the level of equine drugs in the sport made a number of recommendations aimed at reforming the rogue regulator controlled by the private Turf Club.

Agriculture Minister, McConalogue, belongs to Fianna Fail, the political party John Magnier has bankrolled for years. The chair of the investigating committee is Jackie Cahill, another long standing Fianna Fail politician from Coolmore's Tipperary stronghold. The chances of meaningful reform are one notch above nil.

Light touch regulation is the Holy Grail in the business world; the fewer rules to restrict the sharpest brains mean the potential profits grow exponentially. This is the way it always pans out around the world as yet another banking crisis right now clearly shows. When you can control a major sport like Irish racing and twist it the way that suits you best the sky's the limit.



**In the 21 year period from 2001 to the end of November 2021, a total of E1.46 billion was paid from public funds as a subsidy to the horse and greyhound racing industries, split roughly 80% to horse racing and the remainder to greyhounds. The Coolmore mafia created the system they now milk to fill their boots with the public funds readily available as prize money. The Oireachtas (Irish parliament) report said:**

*“HRI’s budget for 2021 provided E9.6 million to the IHRB for the provision of integrity services. According to HRI, their spending on doping control has increased by 27% in the last four years and they have advised IHRB that funding will never be an issue for meaningful initiatives to improve capability or increase capacity in this area.”*

**As shown earlier, IHRB’s own key expenditure figures for laboratory analysis of samples taken from Irish horses were E1,717,025 in 2018 and E1,576,810, the next highest amount, four years later, which is a decrease and not an increase as IHRB claims.**

**While HRI may have increased the gross funds it provided the regulator to tackle doping in this four year period, the IHRB actually spent considerably less testing for illegal drugs over the four years since 2018, including just E923,097 in 2020, a reduction of 46% on two years earlier.**

**Although Covid-19 resulted in racing being held behind closed doors, the total number of races run each year were largely unaffected; it was business as usual and any fixtures lost were rearranged at the earliest available opportunity.**

**So where has HRI’s extra funding gone? Nothing much changes; Hillyer’s and Guy’s lips are sealed.**

**HRI has said on record that funding will never be an issue if IHRB wishes to improve and increase its anti-doping programme and Ireland’s TDs told the regulator it needed to increase transparency in the way it operated so as to gain public trust, but IHRB refused to carry out the audit demanded by the elected politicians.**

**To their credit, the suspicious TDs could smell a rat and their report called for wholesale changes at the IHRB, including that it should be reclassified as a semi-state body under DAFM to ensure complete transparency in its governance.**

*“The IHRB should be directly funded and independent of HRI, with clear distinction between the organisations. Transparency in the operation and structure of the IHRB, as the independent regulator of the horseracing industry, could help increase public confidence in the integrity of the sport.”*

The report called for a comprehensive audit of the IHRB’s anti-doping activities to be carried out since IHRB was created in 2018 and listed a five point plan to answer Bolger’s doping allegations once and for all. It was a perfect response from TDs doing their job, just like Seamus McCarthy at the C&AG, and making Hillyer, Guy and the new CEO Darragh O’Loughlin accountable for their actions.

This is the information from their report which the TDs correctly viewed as essential to answer the many complaints they were facing every day from their constituents:

- a. The number of samples taken, and laboratory tests carried out, with a clear indication of the correlation between these two numbers going back over the past 5 years;
- b. Where, when & how the samples were acquired;
- c. Which substances were tested for;
- d. Was each sample tested individually or group tested; and
- e. What actions, if any, were taken based on these test results.

This audit is more necessary than ever today. Not only to answer the many questions about doping in Irish racing but also deal with the growing doubts about how the regulator is using public funds.

Hillyer and Guy refused to go along with the plan because it would show how they had lied and covered up the true level of corruption in Irish racing. There was nothing to prevent the audit - HRI had promised to finance it - but this hard evidence would expose the biggest racing yards and stud farms in the country as the biggest cheats and put the spotlight on the way racing uses the shedfull of money thrown its way every year.

This could be another Football Association of Ireland scandal.

**IHRB said the audit would take too long and cost too much but that's nonsense: a couple of taps on LGC's computer and a full record of all tests carried out for the regulator would be printed out in minutes. Give the job to Seamus McCarthy, he's the only civil servant you can trust in Ireland.**

**Instead, Hillyer privately arranged for Craig Suann, the former New South Wales chief veterinary officer, to carry out a desktop report on her flawed anti-doping programme.**

**Suann stayed in Australia because of Covid and Hillyer fed him information on her programme which Suann subsequently decided in his review "at least matches international best practice in most respects and has made significant advances in recent years."**

**Covering his back a little, he qualified his opinion by advising 18 recommended changes which would significantly "enhance the robustness of the programme." Those 18 recommendations haven't been implemented which means the programme isn't that robust at all.**

**One of the recommendations was that the regulator should sample and analyse the horses of the biggest trainers more often, which won't happen because the largest operations are run by the untouchables, the O'Briens and Willie Mullins.**

**The most revealing recommendation concerned the chain of custody of the sampling and testing procedures. Suann said this should be independently secure from start to finish, but Hillyer controls it personally and can easily chuck a few samples belonging to her favourite trainers into a skip, or instruct LGC Laboratories not to test for a particular drug, or manipulate the testing levels so that positives don't show up.**

**She routinely puts a smoke screen around positive tests by refusing to divulge the level of drugs discovered by LGC when reporting positive results. Her explanation for this is that the public wouldn't understand the technical side, but that's just an excuse for hiding what's really going on.**

**Suann's report was a stitch-up, but that's hardly surprising considering the two vets are old friends and colleagues and leading lights in the International Federation of Horseracing Authorities (IFHA), which describes itself as the "global leader for the international sport of thoroughbred racing." The reality is it's just a talking shop for vets with a taste for fancy perks.**

The seed for the idea of a representative body for racing authorities was sown by a couple of racing experts in Paris in 1961 and now, sixty years later, is just a frivolous bit of nonsense on a par with Ant and Dec's Saturday Night Takeaway. It has an undeniably upmarket veneer but that is for only one reason - it's sponsored by Longines, the impressive luxury Swiss watch company founded nearly two hundred years ago.

After sixty years of talk, the IFHA still hasn't grown any teeth; it has produced no rules which are enforceable by law or written in stone but instead offers advisory recommendations made by various committees which can be ignored by individual racing authorities at their whim, as Hillyer does regularly in Ireland to suit her personal agenda.

Centrepiece of the IFHA's role is the Advisory Council on Equine Prohibited Substances and Practices on which Hillyer represents Irish racing and Suann is the IFHA's Senior Technical Adviser. They are as thick as thieves and it's going to be interesting to find out how much Suann was paid for giving his expert advice on his good mate's anti-doping programme. It's sure to be a state secret.

Probably the key to this tale of dodgy practices in high places is the Department of Agriculture's response to the Oireachtas committee's request that the IHRB be reformed and legally separated from HRI as a truly independent organisation with no connection to the dinosaurian Turf Club.

It's the obvious answer to many of Irish racing's issues, if only to stem the rapidly deteriorating level of public confidence in the sport's integrity. What can possibly be the problem with this eminently sensible suggestion, apart from the obvious fact John Magnier doesn't like it?

The Department of Agriculture shot the idea down with both barrels. Principal Officer, Caroline Ball, told the parliamentarians:

**“The department came to the belief that the existing model in Ireland, and underpinned by Irish legislation, is the best fit for this country.”**

And that was the end of the discussion. It's easy to change legislation - they do it most weeks up in Dublin. Someone somewhere with a ton of clout told DAFM to pull an almighty stroke to maintain the status quo and the Minister soiled himself.

**Next time they should ask Pat Spillane when they've a tricky question to answer. They won't like what he says but they will at least know he tells the truth. Spillane is one of the all time great Gaelic footballers who went on to earn even greater fame in the television studio when he retired.**

**He's quite good in print, too, and was not impressed by what he saw at the Dublin Racing Festival. He asked out loud in the Sunday World why racing didn't appear to be under the same scrutiny as the GAA, which is a close second to soccer in popularity in Ireland and way ahead of racing no matter what statistics HRI's chief executive, Suzanne Eade, plucks from the ether to try and stay relevant.**

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*There is no danger of horse racing being subjected to the same kind of forensic scrutiny the GAA faces every day. The two day Dublin Festival was the big event in the equestrian world last weekend. All the sports' cheerleaders on radio and TV were wheeled out to egg it on. There wasn't an iota of negativity in any of their remarks.*

*Yet on so many levels the festival reinforced the inequalities that plague sport. Over E2m was handed over in prize money, but only the elite benefitted. And as for the small trainers getting a look in? Don't make me laugh!*

*On day one for example, Willie Mullins had four runners out of seven in one race, five out of eight in another and six out of eight in a third.*

*Day two wasn't a whole lot better. In one race he trained five of the six starters. In other races he had three out of seven, two out of five and two out of six. Seven of the eight winners on day two were trained by either Mullins or Gordon Elliott.*

*In my opinion the horse racing industry is pulling the wool over the government's eyes. Last year the taxpayer forked out E42 million in prize money for horse racing.*

*Guess what, though trainers and jockeys have to pay tax on their earnings from the sport, racehorse owners don't have to pay tax on prize money.*

*You couldn't make it up. The hard-pressed Irish taxpayer is handing over soft money to millionaires, billionaires and Arab sheikhs.*



*I reckon the first five races on the Saturday of the DRF were won by horses owned by multi-millionaires. Seven of the eight race winners on Sunday were also owned by multi-millionaires.*

*At a time when there is a cost of living crisis, with some families struggling to put food on the table, the government is funding Horse Racing Ireland to the tune of E72.8m, while the greyhound industry receives E18.2m*

*This level of government funding is unjust, immoral and wrong on nearly every count. Maybe I'll lay off the GAA in the next few months and focus on the horse and greyhound industries. They are not being held to account right now.*

”

**When you add in that racing's rulers cynically exploit the goodwill of taxpayers by doling out inflated salaries and secretive retirement deals in a sport that is awash with equine and human drugs and other nefarious practices, it's not only wrong on nearly every count but totally corrupt on every count.**

**The privately controlled regulator has refused to reform. The answer is simple - take away the nearly E100 million paid out from public funds every year to horse and greyhound racing and give it to more deserving sports, there are plenty crying out for genuine financial help.**

**Sinn Fein are going to do that anyway when it gets into power at the next general election - the clock is ticking down on racing.**

# A FAIRY STORY FROM THE CHIEF VET

## **The strange case of trainer Ellmarie Holden**

### BACKGROUND

- **8 February 2022:** An out of competition inspection was carried out at the yard of Ellmarie Holden in Ballyhale, County Kilkenny.
- **9 March 2022:** LGC Laboratories in England sent Hillyer a report that hair samples taken from three of Holden's horses, Killahy, Winchmore Hill and Feronily, were positive for *clenbuterol*, a prohibited substance at all times in Irish racing unless prescribed as a therapeutic remedy by a veterinary surgeon.
- **16 February 2023:** Hillyer told an IHRB inquiry 12 months later that no records which would have explained these positive tests had been included in Holden's medicines register at the time of the initial inspection in 2022.
- **Details of all medicines and drugs administered to horses in training must be entered at the time of their use in a register kept by the trainer which must be available for inspection whenever IHRB investigators require it. It's an important rule to discourage trainers who might have cheating on their minds hiding what they are really up to.**

## DR HILLYER'S EVIDENCE

Out of nowhere, as if by magic, Holden's vet, Dr Oscar Mazzarello, appeared in a puff of smoke. Hillyer told the inquiry that Dr Mazzarello retrospectively provided prescriptions to cover the use of *clenbuterol* in Holden's horses in March 2022 - five months after LGC produced their damning report.

The good doctor even supplied a letter confirming that *Ventipulmin*, a trade name of *clenbuterol*, had been administered to treat coughing and nasal discharge in the horses for three months between September and November 2021.

Hillyer absolutely loved this fairy story. She said that the timeline of the administration of the *Ventipulmin* according to Dr Mazzarello coincided exactly with the results of the analysis of the hair samples carried out by LGC.

The IHRB inquiry was held in secret, an edited press report subsequently posted online and no questions from the media were permitted.



The report stated: “Dr Mazzarello explained that he would use *Ventipulmin* regularly to help stop coughing and bringing out mucus in horses who were not ready for racing.”

Holden (left) accepted she did not have a good system for keeping her medicines register up to date, but her only problem appeared to be with *Ventipulmin* as IHRB investigators found no other issue with the register.

It's so good that Dr Mazzarello could come up with such a handy explanation of events because it had looked as if Holden was doping her horses with *clenbuterol* for ulterior motives and was caught red handed when she was raided unexpectedly.



**You would have to admit it didn't look good: no prescriptions were available until five months after the drug was administered, Dr Mazzarello didn't personally administer the *Ventipulmin*, Holden didn't reveal who did and she didn't enter any information in her medicines register to record dosages and dates over the three month timeline LGC reported it was present in the samples they analysed.**

**That must have been a very nasty infection the three horses suffered at exactly the same time during the same three months.**

## **THE VERDICT**

**Mr Justice Raymond Groarke, who chaired the inquiry, couldn't smell a rat if it had been dead for a week lying quietly on top of his head. Or perhaps he's just plain thick. Or, the odds on favourite, bent.**

**He said the drug had been administered in accordance with a veterinary surgeon's directions and in his opinion Holden had not doped her horses. He fined the trainer E3,000 for not keeping the medicines register up to date.**

## **THE REAL STORY**

**IHRB's Equine Anti-Doping Report for the six months ending 31 December 2022, authored by Dr Hillyer, included the unusual reference below to *clenbuterol*, a drug that has corrupted human and equine sport for decades because of its ability to illegally enhance athletic performance. The report was published on the same date the inquiry was held into Holden's positives for the drug - 16 February 2023.**

**Hillyer had never before highlighted the potential for misuse of *clenbuterol* in previous inquiries held by the IHRB despite its long record of corrupting sport, but here she is now giving trainers the heads-up on how to buck the system.**

**Dope your horse for three months to get the required improvement, get a bent vet to cover it with a few prescriptions and scribble a line or two in the medicines register and you're good to go because Ireland's Head of Anti-Doping doesn't want to catch you.**

## Clenbuterol

Clenbuterol is a licensed veterinary medicine when prescribed at normal therapeutic doses for the treatment of respiratory disease in horse(s) which needs it and as such is permitted to be used under the Rules of Racing in Ireland as in most other racing jurisdictions. It is, however, a drug that may be misused if it is given to horses without respiratory disease for its partitioning, or muscle build up, effects. If clenbuterol is detected in any matrix – blood, hair, or urine – it will be followed up and evidence such as prescriptions and associated records will be sought to confirm that it is being used only for valid veterinary therapeutic reasons.

Trainers should be aware that, notwithstanding this clinical use, there has been recent recommendation from the International Federation of Horseracing Authorities that the use of clenbuterol be regulated via more specific restrictions. We support these measures because they will enable those who wish to continue to use this licensed medication properly to do so whilst not allowing scope for its misuse. Further detail will be published in due course. In the meantime, we remind trainers of their obligations to use clenbuterol responsibly, with proper veterinary involvement and oversight, and to document its use correctly.

**Then Hillyer played the IFHA card just to make sure she was covered - her statement about *clenbuterol* included this comment:**

***“Trainers should be aware that, notwithstanding this clinical use, there has been recent recommendation from the International Federation of Horseracing Authorities that the use of clenbuterol be regulated via more specific restrictions.”***

**I checked the IFHA website but couldn't see any new information about *clenbuterol* and, as Hillyer refuses to answer my questions, I emailed Andrew Harding of the Hong Kong Jockey Club who is also Executive Director of the IFHA and asked him for a copy of the latest report from his organisation on *clenbuterol*.**

**Harding sits alongside Hillyer and Suann on the IFHA's Advisory Council on Equine Prohibited Substances and Practices and is also chair of the Technical Advisory Committee. He's a big fish and refused to answer my question.**

**I contacted another IFHA director, Andrew Chesser, who appears to be based at their headquarters in Boulogne, France. I lobbed a few easy balls at Mr Chesser inviting him to hit them out of the park, which he did with consummate ease.**

**I then asked him why Ireland is not listed on the IFHA website as a signatory country to the latest International Screening Limits for drug testing which came into force in June 2022. Mr Chesser also refused to answer my question.**

**A week later Ireland was suddenly added to the official IFHA list of thirty countries around the world, including major powers like the USA, UK, France, Australia, Hong Kong and Japan, who are published signatories of the screening limits agreement.**

**How strange is that? If Ireland's omission was a mistake surely the hitherto extremely helpful Mr Chesser would have dropped me a line to explain what had happened. But this is not the only anomaly involving Ireland at the IFHA - there are other examples where it has not signed up to recommendations on doping.**

**The World Anti-Doping Agency and the United States Anti-Doping Agency are the real custodians of integrity in human and equine sport because they provide hard and fast rules, but racing vets around the world appear to prefer their own rules, which aren't really rules at all. It's a farce.**

**Longines sponsors many of the world's greatest flat races. Founded in 1832, the Swiss luxury watchmaker has been involved in equestrian sports for over a century and isn't known for making mistakes. They would almost certainly say it's the attention to the smallest details which make a great organisation.**

**The IFHA isn't a great organisation - it's a sham which Hillyer regularly hides behind to make it appear her actions are officially sanctioned as she covers-up for the dopers in Irish racing.**

**Its own website tells the real story.**

**“**

**The International Agreement on Breeding, Racing and Wagering is a voluntary agreement designed for the guidance of recognised Racing and Breeding authorities. The agreement is reviewed once a year by the IFHA Annual Conference.**

**Article 6A, Clause 19, states the aim of signatory countries is that their laboratories should control the detection of legitimate therapeutic substances through the application of internationally harmonised screening limits which have been recommended by the IFHA's Advisory Council on Equine Prohibited Substances and Practices and SELECTIVELY ADOPTED BY THE RELEVANT SIGNATORY COUNTRIES. (IFHA's own emphasis).**

**Thus, International Screening Limits are voluntary decision limits and may not be adopted by all countries in which horseracing occurs. It is the responsibility of the connections of a horse to determine the applicable rules of racing in the jurisdiction in which they are racing.**

**”**

**It's nothing but a talking shop. What does this say about Hillyer's statement in the Holden case that the IFHA has made a recent recommendation about the use of *clenbuterol* which then paved the way for Judge Groarke to decide Holden had not doped her horses?**

**There is obviously no recommendation, although they might produce one out of a hat to cover for Hillyer's lies as she's been with the IFHA a long time; not that it matters much as the meaning of the word recommendation is taught in infants class everywhere these days.**

**Perhaps part of the answer can be found in the subsequent racing careers of the three horses involved in this case. Holden did quite well when she first started out with a licence in 2017, but was soon up before the stewards at Fairyhouse for trying to mug the handicapper.**

**Look Closer was third in its third run over hurdles in less than three weeks since joining Holden from Dermot Weld. The stewards found Holden guilty of failing to take all permissible measures to make sure Look Closer was run on its merits. That means she was trying to cheat.**

**She was fined E2,000, the horse suspended from running for 42 days and jockey Rachael Blackmore suspended from riding for five days and ordered to forfeit her riding fee.**

Holden and her businessman father, Paul, subsequently changed their plan of action to buying store horses and preparing them for a run in point to points before selling the best on to other trainers for big bucks.

And it worked too; they bought Jonbon unbroken but when he won a point to point by 15 lengths on his first run in 2020 they sold him to JP McManus for an auction record of £570,000. He is in training with Nicky Henderson in Lambourn and doing quite nicely.

Sir Gerhard was another successful graduate, bought unraced for E72,000 and then sold on to Gordon Elliott for £400,000 after he won his first point to point at Boulta in 2019. He now runs for Willie Mullins and Cheveley Park Stud. The race record of the three horses who were positive for *clenbuterol* as they started out on their racing careers make interesting reading.

#### **KILLAHY**

Following three poor runs in point to points in which he was pulled up twice and beaten 28 lengths in the other, Killahy was third of 15 runners in a maiden hurdle on 12 March 2020 - three days after LGC had alerted the IHRB his hair tests were positive for *clenbuterol*.

#### **WINCHMORE HILL**

On 27 March 2020 - 18 days after LGC's analysis flagged his *clenbuterol* positive, Winchmore Hill was second of eight runners in his debut point to point at Loughrea, beaten a neck at 4/7 favourite, so somebody knew he could run.

According to the Racing Post website, Winchmore Hill and Killahy do not appear to have run since. Perhaps they are having a year off and will come back next season - remember the names.

#### **FERONILY**

Another hot favourite first time out, Feronily won a point to point at Rathcannon on 6 November 2022 at odds of 11/10. It looks like the Holdens then sold him on and Emmet Mullins became his trainer; he has been placed in each of his first three runs in much higher company for Mullins and was an impressive runner-up in a Grade 3 at Cork in his first run over fences two weeks ago. He looks useful but don't forget about the use of *clenbuterol* - make what you want of it.

**One of the many questions Hillyer needs to answer is why were hair samples from these three horses tested for drugs but no blood samples taken and analysed?**

**Hair tests give expert evidence of long term drug use while blood or urine tests are best for short term appraisal, usually immediately before or after a horse runs. Hair and blood tests combined are as good as most anti-doping programmes can be.**

**Killahy and Wigmore Hill ran in point to points within days of LGC discovering *clenbuterol* in the hair tests, but Hillyer made no mention in her report on Holden's horses that any blood tests were taken, so they weren't. Why not?**

**Nearly a hundred horses trained by Jorge Navarro and Jason Servis, who were caught by the FBI manufacturing and distributing performance enhancing drugs in the biggest doping scandal in American sporting history, were required to be tested before they could return to competition for other trainers while court cases were held which resulted in substantial prison sentences and huge fines for around thirty corrupt trainers and vets.**

**In 2020, New York's racing regulator found that almost 80% of these horses had been treated with *clenbuterol*. The reason for such rampant use of this drug was nothing to do with its therapeutic qualities to aid respiratory disease, but because *clenbuterol* when administered above recommended levels burns fat and builds muscle in a similar way to anabolic steroids.**

**The plan was to cheat by illegally improving performance.**

**Dr Scott Palmer, Equine Medical Director for New York racing, said that when he asked for the medical records for these horses he couldn't find any that had *clenbuterol* administration listed, just as Hillyer didn't find any similar references in Holden's medicines register. Dr Palmer told *Bloodhorse*:**

**“That's a strong indication that this drug has been given for purposes other than the normal, prescribed reason for getting *clenbuterol*. After months and months of these tests, we finally have concrete evidence that *clenbuterol* was being widely abused in Thoroughbred horses.”**

There are multiple examples in the sporting world of equine and human athletes improving their performance by using this drug. One of the most famous was track star Katrin Krabbe, who won gold in the 100m and 200m at the World Championships in Tokyo in 1991 but tested positive for *clenbuterol* a year later and was suspended by the German Athletics Federation.

At the other end of the spectrum, it has been a long time favourite of body builders around the world. This is what “clen”, as the muscle men affectionately call it, did for Czech Petr Soukup, who received a lifetime ban when drug testers finally caught up with him ten years ago.

So it has been well known for decades what this drug can do, including in Irish racing, but Dr Hillyer and Judge Groarke will get you off a rap which should bring a minimum ten year disqualification.



***British and Irish racing media waved off Joseph O'Brien's four horse squad for the recent Sydney Carnival with customary confidence. But one horse suffered a fatal injury and the other three were either last or as good as in their races with issues of respiratory bleeding and lameness. Leading investigative racing writer Archie Butterfly questioned the Irish trainer's performance on the hard-hitting website peterprofit.com. The bubble has burst for O'Brien in Australia.***

Animal Welfare NSW Racing The Gallops

## **It's Time We Started Asking Some Serious Questions About Joseph O'Brien's Training Methods**



**KEEP LOOKING JOE. WE ARE TOO.**



One thing that seems to have flown under the radar on Saturday is the appalling performances of the Joseph O'Brien runners.

His three runners weren't bad, they were awful.

Baron Samedi had great staying form in Europe and in the USA.

He had won the Vintage Crop beating Melbourne Cup winner Master of Reality, a Group 2 at Belmont Park in America and another top Group 2 at Longchamp in France.

In addition to that he'd run third in an Irish St. Leger, 6th in the Long Distance Champions at Royal Ascot behind the super stayers Trueshan and Stradivarius, and third in another Vintage Crop.

The Baron's wet form was outstanding, with three wins and 2nd from five starts on the heavy, and O'Brien has beaten the handicapper and snuck him into the Sydney Cup with 55kg, about 2kg under his right weight.

He ran last beaten 80 lengths.

Cleveland had a different form line.

It was an up and comer through the grades at home who had beaten the real good stayer Coltrane in the Chester Cup and run 2nd in the prestigious Ballyroan Cup at Leopardstown behind fellow visitor to Sydney Gear Up, whose connections rated good enough to run on Saturday in the \$5 million WTA feature the Queen Elizabeth Stakes.

He'd run 2nd at his Aussie debut in the Tancred Stakes, beaten just two lengths, and his heavy track form was 1 from 2. O'Brien had slipped him in even lighter with just 51kg.

He ran 3rd last beaten 30 lengths.

Joseph O'Brien's other runner on the card was Statement in the Group 1 Queen of The Turf Stakes.

This mare at home had run 2nd to the quadruple Group 1 winner Alcohol Free in a Group 3 at Newbury, 3rd in a Group 3 at Epsom Downs, 4th to the super mare Bashkirova in a Group 3 at the same track, then won the Listed Navigation Stakes at Cork and the Group 2 Concord Stakes at Tipperary, both wins coming on wet tracks. Her heavy track form was 1 from 1.

She ran third last beaten 16 lengths.

Cleveland bled.

Baron Samedi pulled up lame.

Who knows what happened to Statement.

All this came of course on top of O'Brien's galloper Temple of Artemis breaking down and having to be destroyed in a race at Warwick Farm just the week before.

What the hell is going on?

What are Joseph O'Brien and his old man Aiden using at home and in the States that they can't use here?

Why won't Sydney apply the same stringent soundness tests to the foreign raiders that Melbourne do?

Questions, questions everywhere.

And not an answer to drink.

**TEMPLE OF ARTEMIS** was a four year old gelding by Galileo out of Mystical Lady and raced for a syndicate headed by leading Australian owners Nick and Lloyd Williams when he suffered a catastrophic injury in the Ranvet Handicap at Warwick Farm on 29 March 2023, his first run in Australia, and was euthanised. He was bred by Whisperview Trading, the name of the breeding operation of Aidan O'Brien and his wife Anne Marie and was initially trained by Aidan O'Brien for the Coolmore partners of Magnier, Tabor, Smith and Westerberg, winning once. He was transferred to Joseph O'Brien on 21 July 2022.

# SILENCE IS THEIR ONLY ANSWER

## **NAYLOR COVERED UP FOR HIS FRIEND SHERWOOD**

The British Horseracing Authority moved from High Holborn, London WC1, to Holborn Gate, London WC2, this week.

“The move to fully furnished premises at Holborn Gate will see the BHA downsize its London-based footprint by more than 50%. This will contribute to long-term operating cost savings of approximately £600,000 per year from 2024,” the press report said.

It's good news for all the racehorse trainers with yards in the city of London that they are still so close to British racing's headquarters, but imagine how much money they could save and show a bit of genuine empathy for the sport at grassroots level if they had moved out into the sticks. Not to be amongst the yokels in Devon or Hereford mind, even though they have motorways there now.

The trouble is the best wine bars and brasseries for a decent lunch are in London and it's much more convenient for Joe Suamarez Smith, the BHA Chair, who is the director of hundreds of businesses (mostly in the gambling industry) to be able to give a few minutes of his precious time every month for the benefit of British racing.

He appears to be very good at making money but he's been a director of the BHA since 2014 and is now the top man, a tenure of nearly ten years that has seen British racing slip ever deeper into the dung heap of controversy, scandal and mediocrity. What has he achieved for British racing in his time as a supposedly influential director? The Government's Gambling Review due to be published about now might tell us.

**The BHA wouldn't have relocated to Sheffield or Leeds for goodness sake, but why not York - a fine city with a great racetrack which is situated up in the northern half of England, and even quite close to Scotland, who have just won another Grand National?**

**And are there many trainers in the southern half of England who could get anywhere near the skill or class of winning trainer Lucinda Russell and her team? Just what is the BHA's obsession with London; they have the internet up North, you know.**

**It means nothing in the world of racing to have a fancy address - look where Paul Nicholls lives. Ditchheat doesn't sound very nice, until you go there.**

**In 2018, The Sunday Times deemed York to be its overall 'Best Place to Live' in Britain, highlighting the cathedral city's perfect mix of heritage and high-tech and as a mini-metropolis with "cool cafes, destination restaurants, innovative companies - plus the fastest internet in Britain." It's even better since 2018.**

**Tim Naylor is Director of Integrity and Regulation for the BHA. They left off arrogance - he's in charge of that, too. Prior to his appointment in 2017, he was a barrister at QEB Hollis Whiteman Chambers in London and is now responsible for managing the BHA's integrity, disciplinary and compliance functions with oversight of licensing, monitoring and investigations as well as the case management of matters which go before the Independent Judicial Panel, his biography says.**

**Considering Naylor's said functions at the BHA have been responsible for the biggest disasters in British racing in recent years, I'd say Naylor and Joe SS make a fairly spectacular pair.**

**I sent an email with some questions to Catherine Beloff, BHA's Head of Legal, a couple of months ago about the way the BHA dealt with a complaint from Sarah Waring that Oliver Sherwood had abused her horse, Treasury Bond, when Sherwood trained him. (Issue 6 of The Black Horse Newsletter).**

**Beloff, like very important people do, didn't reply. When I reminded her she was being somewhat rude, I received an email from Naylor, who is a close friend of Sherwood and is very clever. After all, he's a barrister.**

**He denied Sherwood had been found with a syringe at Huntingdon Racecourse: he said the stewards referred the trainer to BHA headquarters about a piece of obsolete equipment, it wasn't an integrity issue at all. Naylor refused to identify the equipment; he lied to cover-up for his friend.**

**I had asked Beloff what was the BHA going to do about the obscene and abusive comments Sherwood's wife, Tarnya, had posted about Waring on Facebook. Naylor replied instead of Beloff: "I have reviewed the social media posts you provided and whilst I do not condone the language of these posts, these were made prior to the industry's Code of Conduct coming into force."**

**It has been reported in the last few days that President Macron of France has been called an "a\*\*\*hole" when appearing in public. It is an epithet that is also entirely suitable for President Naylor, even more so when you take into account the shocking Robyn Brisland case and the BHA's utterly inadequate punishment handed down to another criminal masquerading as a racehorse trainer.**

**I made a complaint to CEO Harrington, copied to Mr Saumarez Smith, that Naylor refused to answer legitimate questions I had asked about the BHA's ongoing treatment of Sarah Waring. I received an automated reply from the BHA acknowledging receipt of my email, but have received no other response, which is the way it is with far too many issues with the BHA.**

**Silence is their only answer when questions are too tough to answer.**

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