



Francis Norton - Rule 66 (vii)

Disciplinary Panel - Other decisions

11 Dec 03

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Panel: Alistair Macdonald Buchanan (Chairman), William Bethell, Nicholas Wrigley.

The Disciplinary Panel of the Jockey Club held an enquiry on 11th December 2003 into the analysis of the sample of urine provided by Francis Norton, a licensed jockey, on 26th September 2002.

Norton's sample was found to contain benzoylecgonine, a diagnostic metabolite of cocaine, and a banned substance. Having considered the evidence, including a statement from Norton, who was legally represented, and other witnesses, including experts, the Panel found Norton to be in breach of Rule 66(vii) of the Rules of Racing.

Two possibilities were advanced on behalf of Norton to explain the source:

- 1.Environmental contamination from bank notes; or
- 2.The consumption unknowingly by Norton of a product of Coca-Tea supplied to him by a friend.

The Panel rejected the explanation that environmental contamination from bank notes was the cause of the finding of a banned substance. The evidence demonstrated that this was a scientific possibility in theory, but overwhelming unlikely, even if neither expert was in a position to state that unlikelihood in statistical terms.

The Panel did not accept the explanation that Coca-Tea was the attributable source of the banned substance. The account about how the illegal substance was in his friend's possession and how it may have been ingested by Norton, and his friend's inability to explain satisfactorily how it was that he alighted on this substance as a possible source, left the Panel not satisfied with the explanation.

The Panel was not of the view that a third alternative put to it by the Jockey Club, namely that this was a misuse of Class A drugs, necessarily follows. There could be another cause for which no explanation follows.

Having regard to all the circumstances and the mitigation put forward on Norton's behalf, under Rule 2(iv) the Panel withdrew his current licence to ride from 19th December 2003. It further ordered that Norton should not be issued with a further licence before 19th April 2004. The Panel also informed Norton that the issue of a new licence, would be dependent upon his obtaining a satisfactory Medical Report from the Jockey Club Chief Medical Advisor.

December 11th 2003

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