

DECISION

TASRACING INTEGRITY UNIT

and

TONY KEW

Date of Decision:	19 June 2025
Panel:	Ms Heidi Lester (Chair), Ms Lisa Boyd, Mr Zane Turner
Respondent:	Mr Tony Kew
Rules:	<p>Charge One: AR 233(a)</p> <p>A person must not</p> <p>breach a policy, regulation or code of practice published by Racing Australia or a PRA</p> <p>Tasracing Code of Practice for Racehorse Welfare:</p> <p>Standard 7.1 - A person in charge of a racehorse must ensure that veterinary services are sought and provided to any racehorse that is sick, injured or diseased in an appropriate timeframe.</p> <p>Charge Two: AR 233(a)</p> <p>A person must not:</p> <p>breach a policy, regulation or code of practice published by Racing Australia or a PRA</p> <p>Tasracing Code of Practice for Racehorse Welfare:</p> <p>Standard 7.4 - A person in charge of a racehorse must ensure that any racehorse that loses body condition to below BCS 2 out of 5 and does not respond to special feeding must be promptly examined by a registered veterinary practitioner.</p>
Plea:	Not Guilty to both charges
Finding:	Guilty to both charges
Penalty:	12 months disqualification on each charge, to be served concurrently

Background

On 18 March 2025, members of the Tasracing Integrity Unit's (TIU) Investigations and Animal Welfare function, accompanied by Tasracing regulatory veterinarian Dr. Bruce Jackson, conducted an inspection at the property of racing participant Mr. Tony Kew.

During the inspection, Dr. Jackson examined two horses. *Angelina's Joy*, a broodmare, was found to have a chronic granulating wound on the anterior aspect of the right hind fetlock. No veterinary attention had been provided for the injury. *Miss Dashwood*, a retired broodmare, was assessed to be in extremely poor condition and received a body condition score (BCS) of 1 out of 5.

A follow-up inspection was conducted on 24 April 2025 in conjunction with the RSPCA. At this visit, *Angelina's Joy* had still not received veterinary treatment, and *Miss Dashwood's* condition had marginally improved, with her BCS assessed at 1.5 out of 5.

At a subsequent inquiry, Mr. Kew stated he had been unable to secure a veterinarian to attend to *Angelina's Joy*. He further indicated that he had increased the amount of feed provided to *Miss Dashwood*, which he believed had contributed to the improvement in her condition.

Considerations in Determining Penalty

In determining the appropriate penalty, the Panel took into account:

- Aggravating factors, including:
 - The serious and prolonged suffering endured by both animals.
 - The failure to provide timely and appropriate veterinary care.
 - Mr. Kew's lack of demonstrated remorse and refusal to accept responsibility.
 - His not guilty plea and repeated attempts to deflect blame onto others.
- Mr. Kew's history in the industry, suggesting a higher level of awareness and understanding of his responsibilities.

The Panel considered these matters to represent a significant breach of animal welfare obligations and warranting a strong response.

Conclusion

Breaches of animal welfare standards are among the most serious matters in racing, undermining both industry integrity and public confidence. The Panel regards the circumstances of this case as particularly grave and deserving of a strong penalty.

This decision is intended not only to address Mr. Kew's conduct but also to serve as a general deterrent. All participants must meet their responsibilities to the animals in their care, whether racing, breeding, retired, or companion animals.

Mr Kew was advised of his rights of appeal.