

Appeal decision

Date: 10 June 2014

Code of racing: Thoroughbred

Appeal panel: Judge W Carter (chair), Mr P James and Mr G Casey.

Appearances: Mr K Kemp appeared on behalf of apprentice jockey Ruby Ride.
Mr D Aurisch, deputy chairman of stewards, appeared on behalf of the stewards.

Decision being appealed: Suspension of licence to ride in races for a period of three weeks – AR137(a).

Appeal result: Appeal dismissed.

Extract of proceedings – in the matter of the Craig's Highfield Home Hardware Class 1 Handicap over 1200 metres at Toowoomba on 24 May 2014. Apprentice jockey: Ruby Ride

THE CHAIRMAN: This appeal by apprentice Ride arises out of the fact that on 24 May 2014 at Toowoomba, she is alleged to have ridden carelessly and as a result of an inquiry into the fact that a horse on the outside had fallen she was charged with a breach of the relevant rule and she pleaded guilty.

The allegation by the stewards was that at about the 300-metre mark she permitted her mount to shift out to the point where it made significant contact with the horse immediately to her outside, which was ridden by jockey Banks, who in turn struck the horse on his outside, ridden by apprentice Fawke, and that horse apparently moved to the outside and apprentice Stower's horse, which was making its run, has struck the heels or for some other reason associated with Faulk's horse moving out, caused that mount to fall. Fortunately, there were no serious injuries resulting from it.

At the stewards' inquiry it is plain from the outset that the observation steward described the event, which is consistent with the film we have seen with one exception. The steward was of the view that Miss Ride had forced a run, and we do not accept that. It seems clear enough that when she made the run, the run was there, although it was relatively tight. But the fact remains that she did permit her mount to come into significant contact with Banks' mount, and it seems to us clear that that was the reason why the subsequent events took place – the shifting of one horse to the other, which I referred to as a chain reaction earlier, was the result of Miss Ride's horse moving out.

She pleaded guilty and she was supported at that time and in that plea by her master, Mr Hannah. She was given the opportunity to discuss her plea with Mr Hannah before she made it, and that plea is, like any plea of guilty, of significance. It is an acknowledgement – a public acknowledgement – by a person who pleads guilty that he or she accepted that that the charge laid against her was valid and the basis for that charge and the facts relied upon were valid.

She was suspended for a period of three weeks, and in all of the circumstances we regard a three-week suspension in a case such as that as acceptable.

We therefore dismiss the appeal and confirm the penalty of three weeks.

Further right of appeal information: The appellant and the stewards may appeal to the Queensland Civil and Administrative Tribunal (QCAT) within **14 days of the date of this decision**. Information in relation to appeals to QCAT may be obtained by telephone on (07) 3247 3302 or via the Internet at www.qcat.qld.gov.au