

TRNT Appeals Committee

APPEAL of Jockey L Crow

APPEAL COMMITTEE: Mr P McIntyre (Chair), Mr R Longuet and Mr C McNally

DATE of HEARING: 11 June 2020

REASONS FOR DECISION

Appearances

At the Appeal;

- a. Mr D Westover represented the Stewards by video from Alice Springs.
- b. Mr K Ring represented Jockey L Crow by video from Tasmania.
- c. Jockey L Crow was present by video from Alice Springs.
- d. The Appeal Committee was assisted with video equipment in Darwin by both Mr D Hensler and Mr A O'Toole.

Background

1. Jockey L Crow appealed against a penalty imposed by the Stewards made on 30 May 2020 on a finding of her guilt in relation to a breach of AR 131.
2. The particulars of the breach were for careless riding in that at the Alice Springs Turf Club race meeting conducted on 30 May 2020 in race 7 the Red Centre Technology Partners Handicap she did allow her mount *Tomahawk Lad* to shift ground inwards approaching the first turn when insufficiently clear resulting in *Babe in Boots* (W Kerford) being taken inwards onto *Exonerate* (P Denton) which was tightened onto *Grab for Power* (D Morgan) and as a consequence P Denton had to take hold and check his mount losing ground.
3. The penalty imposed upon Jockey L Crow was that her licence to ride was suspended for one Alice Springs race meeting, such suspension to commence midnight 30 May 2020 and to expire midnight 13 June 2020.
4. Jockey L Crow filed a Notice of Appeal dated 3 June 2020 (Notice of Appeal) seeking to have the penalty set aside as excessive and applying for a stay pending the hearing of her appeal.
5. The application for a stay was not opposed by the Stewards and therefore granted.

6. Prior to the hearing of this appeal the Appeals Committee had the benefit of considering:
 - a. the Notice of Appeal.
 - b. the transcript of the Stewards Inquiry into Race 7 at Alice Springs Turf Club 30 May 2020 (the Transcript)
 - c. TRNT Stewards Report 30 May 2020; and
 - d. A two-page unsigned written statement of Jockey Crow (Crow Statement).
7. At the hearing of this appeal the Appeals Committee also had the benefit of considering two further documents provided by Mr D Westover.
 - a. TRNT Stewards Guidelines for Careless Riding; and
 - b. A table (of several pages) entitled 'NT Careless riding penalties from March 2014 (the Penalties Table).
8. The documents referred to at paragraph 7 had also been provided by Mr D Westover to Mr K Ring prior to 11 June 2020.

Considerations on the Appeal

9. At the hearing of the appeal on 11 June 2020 the Appeals Committee had the benefit of considering video recordings of the race with both Mr K Ring and Mr D Westover drawing attention to different aspects of the vision recorded.
10. Both Mr K Ring and Mr D Westover took the opportunity to make submissions to the Appeals Committee about what it should conclude on the basis of what the video recordings revealed and on the basis of what is recorded in the Transcript.
11. Mr Ring relevantly submitted that:
 - a. In considering penalty the Stewards erred in concluding that the degree of carelessness and the degree of interference was 'in the mid-range as two horses were involved in the incident'.
 - b. The Stewards should have concluded that the degree of carelessness and the degree of interference by Jockey Crow were in the low range; and
 - c. Because Jockey Crow admitted to the Stewards that she moved her mount inwards; the penalty should have been a reprimand.
12. Mr D Westover submitted that:
 - a. It is clear from the video that two horses were affected by the movement inwards of her mount by Jockey Crow.
 - b. An examination of the Penalties Table reveals that the penalty imposed by the Stewards was well within the range of penalties imposed in other similar matters during 2019 and 2020 especially considering those in which the relevant Jockey pleaded guilty.

- c. The admission of Jockey Crow referred to by Mr Ring at paragraph 11.c. above was not an admission of guilt.

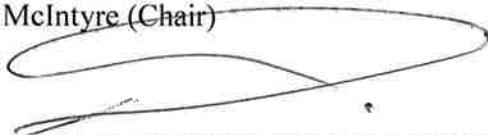
Findings on Appeal

13. The Appeals Committee concluded that there was no substance to the above submissions of Mr Ring but were persuaded by those of Mr D Westover together with their assessment of the video and the Transcript.
14. Accordingly, the Appeal Committee concluded that the penalty imposed was not excessive and dismissed the appeal against penalty.
15. The Appeals Committee takes this opportunity to again remind Jockeys and those who advise them, that it is considered common and proper, that the Stewards, and indeed this Appeals Committee, take into account in favour of potentially reducing an otherwise appropriate penalty from time to time, the early entry by a Jockey of a guilty plea. No such potential reduction was available in the circumstances of this matter.

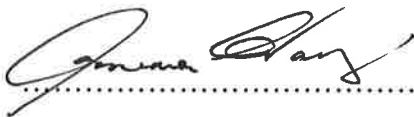
Dated the 21st day of August 2020



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P F McIntyre (Chair)



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Mr R Longuet



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Mr C McNally