

APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 18 March 2013

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: RUTH BRADLEY**

Panel Judge Russell Lewis (Chair), Mr Chris Enright, Mr Graeme Johnson.

Appearances Mr Des O’Keeffe appeared on behalf of Ms Bradley.
Mr Terry Bailey appeared on behalf of the Stewards.

At Moonee Valley on Monday 11 March 2013, jockey Ruth Bradley was found guilty of one charge of careless riding and pleaded guilty to a second charge of careless riding – both charges relating to her ride on *Our Protocol* in Race 7 the *RTBU-MUA-TWU Handicap* (1200m).

In relation to the first charge; the careless riding being that soon after the start she permitted her mount to shift in when not clear of *Lightnuff* resulting in that horse being taken in onto *Instalment*, which in turn shifted in resulting in *Eight Cards* being checked severely after making contact with the heels of *High On Believing (NZ)*. In issuing the charge Stewards did concede that *High On Believing (NZ)* does get out away from *Tramuntana* which had some contribution to the incident however she was still not clear of the horses to her inside.

Ms Bradley had her licence to ride in races suspended for a period to commence at midnight on Monday, 11 March 2013 and to expire at midnight on Wednesday, 20 March 2013 – a total of 10 race meetings (3 city, 7 country).

In relation to the second charge; the careless riding being that approximately 150m after the start she continued to let her mount to shift in when riding it along, when not clear of *Lightnuff* which resulted in that horse being tightened and checked and in doing so crowded *Instalment* which made contact with the hindquarters of *High On Believing (NZ)* and as a result *Instalment* was checked out of its position.

Ms Bradley had her licence to ride in races suspended for a period to commence at midnight on Monday, 11 March 2013 and to expire at midnight on Monday, 25 March 2013 – a total of 16 race meetings (5 city, 11 country).

A Notice of Appeal against the **decision and severity of the penalty** in relation to the first charge and **severity of the penalty** imposed in relation to the second charge, was lodged on Wednesday, 13 March 2013. A stay of proceedings was not requested.

DECISION: **Charge 1** - Appeal against decision dismissed. Appeal against severity of penalty allowed. Penalty varied to a period of suspension for 5 race meetings.

Charge 2 - Appeal dismissed. Penalty to remain standing.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR C. ENRIGHT
MR G. JOHNSON**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE RTBU-MUA-TWU HANDICAP
OVER 1200 METRES AT MOONEE VALLEY ON 11/3/13**

JOCKEY: RUTH BRADLEY

MELBOURNE

MONDAY, 18 MARCH 2013

MR T. BAILEY appeared on behalf of the RVL Stewards

MR D. O'KEEFFE appeared on behalf of the Appellant

CHAIRMAN: In this appeal, the Board is satisfied that there was contribution from Michael Rodd's mount, in that it bumped the Appellant's mount and caused it to become unbalanced. The Board is also satisfied that the horses immediately on the inside of the Appellant's mount were in restricted room due to Knobel's mount jumping outwards shortly after the start. There are, therefore, obviously contributing factors towards this whole incident.

Nevertheless, the Board reminds itself that this was a 1200-metre race where the obligation on the riders, albeit shortly after the start, is to ensure that there is no crowding to either the inside or the outside. It was obvious that the Appellant's desire and intention was to lead, as indeed proved to be the case.

The Board therefore comes to the view that the obligation, notwithstanding the contribution of the other horses, is still on the Appellant to ensure that her mount does not shift in, albeit for even a few strides before it is corrected.

Therefore, the Board is satisfied that there was carelessness on the part of the Appellant, but that in all the circumstances, the degree of carelessness was in the lower registers of the low range. Unless Mr O'Keeffe wishes to make submissions on penalty in relation to that matter, the Board is of the view that the appropriate penalty would be five meetings.

DISCUSSION

In this case, the Board does not believe that Callow's mount had any significant contribution to the carelessness. Indeed, the Board is of the opinion that Callow, having seen the films, was probably doing his best to help out the Appellant, which is not an uncommon factor in these matters.

Secondly, the Board is not impressed with the argument that once the Appellant heard the call from Coffey that she tried to correct her mount. Her obligation is to ensure that she would not interfere with the horse on the inside. We think that the appeal in relation to this charge borders on the frivolous and we have no hesitation in finding that the appeal should be dismissed.
