

RACING APPEALS TRIBUNAL

RAT 10/2020

DATE OF HEARING: TUESDAY 8 DECEMBER 2020

TRIBUNAL: PRESIDENT: MR T ANDERSON, QC

ASSESSOR: MR J LETTS

IN ATTENDANCE:

MR C DEAKIN: STEWARDS, THOROUGHBRED RACING SA LTD

MR D CABOCHE: APPELLANT

IN THE MATTER of an Appeal by **MR DYLAN CABOCHE** against a decision of Thoroughbred Racing SA Ltd Stewards.

BREACH OF RULE: AR 131(a)

A rider must not, in the opinion of the Stewards:

(a) engage in careless, reckless, improper, incompetent or foul riding;

PENALTY: SUSPENSION OF LICENCE TO RIDE FOR 4 RACE DAYS

DETERMINATION

Dylan Caboche is a licensed jockey. He was suspended by the Thoroughbred Racing SA Stewards for 4 meetings for careless riding at Port Lincoln on 25 October 2020.

That suspension was to commence at the conclusion of a previous 3 meeting suspension, again for careless riding, imposed on him the day before at Port Lincoln.

I have now had the opportunity of looking at the vision of that previous incident, and I will take that into account in my final decision.

Mr Caboche appealed against the severity of the penalty of four meetings. He suggested it should be three meetings.

The particulars provided by the Stewards allege that Regina Del Drumma, ridden by Mr Caboche, laid out in the straight when insufficiently clear of Tajavedo, ridden by Ms E. Boyd. This occurred approximately 100 metres from the winning post.

As a result, Ms Boyd had to steady her horse and stop riding. It is suggested by Mr Caboche that she may have overreacted to the situation, but it is clear that she did have her line taken and she had to take some evasive action.

The vision of the race in question clearly shows the incident the subject of the charge. It is plain by his riding that Mr Caboche did cause interference to Ms Boyd's horse. She is shown standing up in her irons as she checked her horse.

In the opinion of the Tribunal, the vision of the incident speaks for itself. It clearly was careless riding, and to his credit Mr Caboche accepted that and pleaded guilty. As I have indicated, he submitted that, in comparing the incident the subject of the appeal, and the incident the previous day for which he received a 3-meeting suspension, he should have received a maximum of three meetings for this incident as well.

He has asked the Tribunal to take into account his riding record of 595 rides approximately over the last 18 months without any suspension, and I will take that into account.

It is, in my view, having seen the race vision of the incident on the previous day, to which he pleaded guilty, that Mr Caboche was perhaps unlucky to receive three meetings for that incident.

I do take that into account, and in my view his appeal in this matter should be allowed and the suspension reduced from four meetings to three.

I order repayment of that portion of the bond to which he is entitled.