

RACING APPEALS TRIBUNAL

RAT 13/2017

DATE OF HEARING: Thursday 20 April 2017

TRIBUNAL: **PRESIDENT:** MR T ANDERSON QC

ASSESSOR: MR J LETTS

**MR J ADAMS FOR CHAIRMAN OF STEWARDS,
THOROUGHbred RACING SA LTD**

APPELLANT: MR J HUXTABLE

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

BREACH OF RULE: ARR 137(a) – Any rider may be penalised if, in the opinion of the Stewards:

(a) He is guilty of careless, reckless, improper, incompetent or foul riding.

PENALTY: SUSPENSION OF LICENCE TO RIDE FOR 4 MEETINGS

DETERMINATION

This is an appeal against conviction and penalty by licensed jockey Mr Justin Huxtable.

Mr Huxtable is an apprentice jockey who was suspended for careless riding for three meetings following race number 6 at Naracoorte on 27 March 2017.

He pleaded guilty to the charge.

He was not represented before the Stewards during their inquiry.

I have said before and repeat that an apprentice jockey should be represented before the Stewards by, preferably, his or her master, and if that person is not available, then by a senior jockey willing to assist, and one who did not ride in the same race.

At the hearing before me Mr Huxtable attended with Mr Dom Tourneur, a senior rider in South Australia.

Mr Huxtable advised me that he wished to change his plea to not guilty. I informed him that he could make that application and that I would consider it and if I allowed it he then had to consider the fact that he would not receive the discount which the Stewards granted him because of his plea of guilty, if he were ultimately found guilty by the Tribunal. I asked him to consider this and after a short adjournment he returned and advised me that he wished to plead not guilty.

The vision of the race shows that Mr Huxtable's horse 'Power Glen' was three-wide at about the 1700 metre mark in the race. He moved forward and across to his left, bumping one horse, 'Iamthekey' into another, 'Vernon' that was racing nearest the running rail. 'Vernon', actually made contact the rail and the rider had to stop riding the horse and you can clearly see the horse 'Vernon' raising its head and lifting its front legs off the ground.

Mr Huxtable argued that outside him there was another horse which caused him to move across. The vision does not support his version of events and shows that it was Mr Huxtable's careless riding, which caused the difficulty for the other runners.

In my view, the vision is quite clear. I am fortified in my views on this having been assisted by former senior jockey Mr John Letts as my assessor. It is therefore the case that the charge of careless riding was correctly found made out by the Stewards.

It could have been a very serious incident. All horses were taking up a position early in the race and a serious fall could have eventuated, resulting in a number of horses coming down.

Mr Huxtable has only been riding for eight months and has been very successful. He has been suspended once before at Naracoorte, on 18th November 16 and was suspended for 3 meetings.

It is my view that the Stewards acted appropriately, and after a discount, they imposed a penalty of a three meeting suspension. Unfortunately I cannot give any such discount, as I advised Mr Huxtable prior to the hearing, because of his change of plea. He has now pleaded not guilty and therefore I impose a penalty of four meetings. The suspension will commence at 12 midnight on 26 April 17.

I order the refund of the applicable portion of the bond.