

RACING APPEALS TRIBUNAL

RAT 3/2018

DATE OF HEARING: MONDAY 26 FEBRUARY 2018

TRIBUNAL:	PRESIDENT:	MR T ANDERSON QC
	ASSESSOR:	MR J LETTS
	MR S CALANAN:	STEWARDS, THOROUGHBRED RACING SA LTD
	APPELLANT:	MR D CABOCHE

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

BREACH OF RULE: ARR.137:

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 3 RACE DAYS

DETERMINATION

Mr Dylan Caboche is an apprentice jockey who was suspended for three meetings following his ride on Slide of Hand in race 6 at Port Lincoln on 2 February 2018.

At the Stewards' Inquiry he pleaded guilty to the charge of careless riding, but when he lodged his appeal he indicated that he wished to contest both the conviction and the penalty.

This was despite him having pleaded guilty at the hearing before the Stewards.

Later he advised the Tribunal that he only wished to contest penalty.

The Stewards' report on the race reads in part: *"Slide of Hand (D. Caboche) rolled in at the entrance to the straight, inconveniencing Ticket to Paris. Shortly after, the gelding commenced to shift out under pressure and in the vicinity of the 150 metres shifted onto Ticket to Paris, which was obliged to take hold and alter course to Slide of Hand's inside to obtain clear ground."*

The Tribunal viewed the vision of the race from three different aspects and there is no doubt that the vision confirms precisely the Stewards' description as set out above.

It is clear that Mr Sairyn Fawke, riding Ticket to Paris, was inconvenienced. He had to take hold of the horse and change direction. This is amply demonstrated in the footage of the race.

In fairness, Mr Caboche admitted that the vision showed both those things, namely Mr Fawke having to take hold of his horse, and secondly having to change direction.

Mr Caboche indicated that as his horse came around the home turn, and as it was a big horse, it drifted out and took some time to straighten up.

Unfortunately the incident which occurred was some considerable distance from the home turn and I do not accept that description.

I have been assisted in this appeal by Mr John Letts and it is his view and mine that this was a clear example of careless riding and warranted a suspension.

The Stewards started their consideration with a four-meeting suspension and then reduced it by one meeting after taking into account Mr Caboche's plea of guilty and his riding record.

In my opinion that was an appropriate way to deal with this matter.

Mr Caboche argued that three meetings in the circumstances as depicted in the footage of the race was still excessive having regard to the incident. I do not agree.

Therefore the appeal is dismissed and the suspension will commence at midnight on Friday, 2 March 2018 and Mr Caboche will serve the suspension for the following three meetings.

I order that the refundable part of the bond lodged with the appeal be refunded to him.