

RACING APPEALS TRIBUNAL

RAT 17/2018

DATE OF HEARING: TUESDAY 23 OCTOBER 2018

TRIBUNAL: PRESIDENT: MR T ANDERSON, QC

ASSESSOR: MR R BEST

IN ATTENDANCE:

STEWARDS, THOROUGHBRED RACING SA LTD:
MR J ADAMS

APPELLANT: MR R SAKAI

REPRESENTATIVE: MR T PANNELL

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

BREACH OF RULE: AR137(a)

“Any rider may be penalised if, in the opinion of stewards,

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

PENALTY: SUSPENSION OF LICENCE TO RIDE FOR 3 RACE DAYS

DETERMINATION

Mr Sakai is a licensed jockey.

He was suspended by the Stewards for careless riding as a result of an incident which took place in race 4 at Naracoorte on 9 September 2018.

In that race, he rode a horse, Wokit, and the other relevant rider and horse was Kayla Crowther, who was riding Samphire.

An incident occurred at about the 400-metre mark which the Stewards reported as follows:

Mr Cookson was situated in the tower at the home turn, and he said,

“As the field were approaching me, towards the 400, about the 400, Sairyn Fawke was riding Just Want To Run Now. It was on the fence.

To his outside was Kayla Crowther, who was riding Samphire, and outside Kayla, about probably half a length to three quarters of a length in front, was Ryusei Sakai, who was riding Wokit.

My observation was that as Ryusei’s mount started to shift in onto Kayla Crowther, causing Sairyn Fawke to be tightened, and he then shifted in enough for Kayla to have to restrain her mount and check and lost her rightful position.”

That version of events was not seriously challenged, and Mr Balfour, who is the master of Mr Sakai, and present at the Stewards’ Inquiry, essentially accepted that version of events.

Mr Balfour was very frank in his comments before the Stewards, and he acknowledged the riding of Mr Sakai on that occasion.

He said, *“I can clearly see he made a mistake. He tightened them up. In my opinion, this horse is very green on a track that’s very tight for it. It’s overreacting to the horse in front of it. I sincerely believe that Ryusei tried to relieve pressure about four times to that horse, that at the end of the day did roll in half a horse as that tight part of the track corner, and it was good that Kayla’s horse – she read the play on a horse that was dropping off.”*

The Stewards conceded that Mr Sakai was trying to relieve pressure to his inside on about four occasions prior to that incident.

The vision of the race confirms the description given by the Stewards and indicates quite clearly how Kayla Crowther had to steady her mount and immediately lose ground.

In the Tribunal hearing, Mr Todd Pannell, an experienced jockey, sought leave to represent Mr Sakai, and I allowed him to make submissions on behalf of Mr Sakai.

I put to Mr Pannell the passages above which I have referred to from Mr Balfour, and he agreed that that was a fair description.

The particulars of the charge laid by the Stewards are as follows:

“Ryusei Sakai, in race 4 today at Naracoorte on 9 September 2018, as the rider of Wokit, in the vicinity of the 400 metres, allowed your mount to shift in when insufficiently

clear of Kayla Crowther, the rider of Samphire. As a result of your shift, Kayla Crowther had to steady her mount to avoid your heels. Do you understand the particulars of the charge?"

Having considered the vision and consulted with my assessor, Mr Richard Best, it is my view that the Stewards were quite correct in the particulars which they gave of the charge and that the evidence from Kayla Crowther and Mr Balfour and Mr Sakai confirms the incident.

The question is, was it careless riding? In my opinion, the answer is clearly yes.

It was potentially dangerous, and it was only because of the vision and reaction of Kayla Crowther that a serious incident was avoided. She is to be commended on her action in easing her horse. The fact remains that she was required to ease her horse, which was caused by Mr Sakai allowing his mount to shift in.

In my view, the clear answer to the submissions made on behalf of Mr Sakai that the horse was causing trouble for some time leading up to the incident is that when in this last incident it moved in again, he should have stopped riding his horse. That was the proper thing to do.

In those circumstances, I consider the question of penalty. The fact is that Mr Sakai has had a reasonably good record since commencing riding in Japan at the age of 19.

He started riding in Japan in 2016 and rode 70 winners in Japan. He moved to Melbourne in November 2017, where he remained for about four months, but didn't ride a winner there. He was suspended once in Melbourne for careless riding and received 10 meetings as the penalty.

He commenced riding in Adelaide in March 18 and has had about 200 rides since then with 16 winners and about four or five of those in the metropolitan area.

He is clearly a rider with great potential but has been of recent times in trouble with the Stewards because of careless riding.

The fact is that within a period of three months, commencing on 16 June 18 at Morphettville, he was suspended twice prior to this incident and therefore has now received suspensions for careless riding for three incidents within three months. That means he has to attend to his riding style and his riding ambitions in relation to not wishing to ease his horse at a time when he should to avoid a potential incident.

In those circumstances, it is my view that the penalty imposed by the Stewards is quite appropriate, and therefore the appeal on penalty is dismissed.

I was informed, after I gave my decision, that Mr Sakai was also suspended in Victoria for his ride in the Caulfield Cup recently. He received an 11-raceday suspension in Victoria because of that ride. That suspension expires at midnight on 30 October 2018.

After discussion with the Stewards and Mr Sakai, his suspension on this matter will incorporate 31 October 2018 at Naracoorte, Saturday 3 November 2018 and Tuesday 6 November 2018 at Morphettville.

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