



## APPEAL RESULT

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**DISTRIBUTION:** Chief Executive  
Group Integrity Services  
Group Racing and Group Racing Development  
VJA  
TVN  
Office of Racing  
T Moxon – National Drug Register  
Racing Press

**FROM:** Registrar – Racing Appeals and Disciplinary Board

**DATE:** 9 January 2014

**SUBJECT:** **APPEAL HEARING RESULT – JOCKEY: JARROD FRY**

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**Panel** Judge Russell Lewis (Chair), Mr Geoff Ellis, Mr Chris Fox.

**Appearances** Mr Des O’Keeffe appeared on behalf of Mr Fry.  
Mr Brent Scarlett appeared on behalf of the Stewards.

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At Bairnsdale on Saturday 4 January 2014, jockey Jarrod Fry was found guilty of a charge of careless riding on his mount *Rebel Rising* in Race 1 the *Gippsland Truck Centre Maiden Plate* (1600m.)

The careless riding being that near the 50 metres he permitted his mount *Rebel Rising* to shift out when not sufficiently clear of *Shutterspeed* resulting in that gelding being carried out and bumping the hindquarters of *Domini Servatus* and having to be checked.

Mr Fry had his licence to ride in races suspended for a period to commence at midnight on Wednesday, 8 January 2014 and to expire at midnight on Sunday, 19 January 2014 - a total of 13 meetings (3 metropolitan 10 provincial). In assessing penalty Stewards believed the careless riding to be in the mid-range and took into account his most recent record.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Sunday, 5 January 2014.

A stay of proceedings was not requested.

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**DECISION:** **Appeal allowed.**

**TRANSCRIPT OF  
PROCEEDINGS**

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**RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman  
MR G. ELLIS  
MR C. FOX**

**EXTRACT OF PROCEEDINGS**

**DECISION**

**IN THE MATTER OF THE GIPPSLAND TRUCK CENTRE  
OVER 1600 METRES AT BAIRNSDALE ON 4/1/14**

**JOCKEY: JARROD FRY**

**MELBOURNE**

**THURSDAY, 9 JANUARY 2014**

MR B. SCARLETT appeared on behalf of the RVL Stewards

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

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CHAIRMAN: In this case, the evidence is clear that the Appellant's mount shifted abruptly, even shied. The burden of proof is upon the stewards to establish the case on the balance of probabilities.

The evidence in this case has left the Board in a position where it is unable to conclude that the Appellant demonstrated a lack of awareness that his mount was shifting out towards Parish's mount.

The Board is not satisfied that, in the circumstances, the Appellant failed to take appropriate remedial action. Accordingly the appeal is allowed.

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