

HEARING RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 6 June 2013

SUBJECT: HEARING RESULT – APPRENTICE JOCKEY: JAKE DUFFY

Panel Judge Russell Lewis (Chair), Mr Bill Kneebone, Dr June Smith.

Appearances Mr Peter Jurkovsky appeared on behalf of Mr Duffy.
Mr Peter Ryan appeared on behalf of the Stewards.

Charge Breach of AR 135(b)

The rider of every horse shall take all reasonable and permissible measures throughout the race to ensure that his horse is given full opportunity to win or to obtain the best possible place in the field.

The charge relating to Mr Duffy's ride on *Muja Magic* in Race 5 the *Warehouse Sales 0-62 Handicap* (2050m) at Wodonga on Sunday, 19 May 2013.

Plea Not guilty.

Decision The Board does not find the charge proved, subsequently the charge is dismissed.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR W. KNEEBONE
DR J. SMITH**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE WAREHOUSE SALES 0-62 HANDICAP
OVER 2050 METRES AT WODONGA ON 19/5/13**

APPRENTICE JOCKEY: JAKE DUFFY

MELBOURNE

THURSDAY, 6 JUNE 2013

MR P. RYAN appeared on behalf of the RVL Stewards

MR P. JURKOVSKY appeared on behalf of Mr J. Duffy

CHAIRMAN: In this case, the Board accepts Jake Duffy's evidence that he genuinely believed his mount may have bled. His belief, albeit it may have been a mistaken belief, was based on his previous experience. In this regard, the Board refers to what he said at page 15, line 31 of the transcript, and what he said at today's hearing. Consistent with that belief, he eased his mount from the 400-metre mark.

The Stewards' case is that when it became obvious that the horse still had something to give, Duffy should have ridden his mount along earlier than he did. The Stewards have calculated that Duffy sat quietly for some 23 strides before he again began to ride the horse with vigour.

Duffy's explanation for this apparent lack of endeavour is as follows: first, he had intended to let his mount run to the line under its own steam, then circumstances changed. Horses which were coming down the outside were dying on their runs, which created a predicament in Duffy's mind because in recent times, he had incurred the wrath of the stewards for failing to ride a horse out. Thus, Duffy began to ride his mount along with the result that it finished 5th.

The Board is not satisfied that it should reject Duffy's explanation, and although the Board believes that Duffy perhaps overdid the easing of the horse, it was an error of judgment on his part which was not of a kind which could be considered to be blameworthy. Accordingly, the charge is dismissed.
