



APPEAL DECISION

JACK HILL

and

RACING VICTORIA STEWARDS

Date of Hearing: 15 August 2017

Heard By: Judge Bowman (Chair)

Appearances: Corie Waller appeared on behalf of the stewards.
Matthew Hyland appeared on behalf of Mr Hill.

At Geelong on Wednesday 9 August 2017, jockey Jack Hill was found guilty of a charge of careless riding on his mount *Harvard (NZ)* in Race 7 (2418m).

The carelessness being that at a point near the 1900m he allowed his mount to shift in when insufficiently clear of *Arohata* which as a result had to be restrained

Mr Hill had his licence to ride in races suspended for a period to commence at midnight on Thursday, 10 August 2017 and to expire at midnight on Friday, 18 August 2017 - a total of 8 race meetings (2 metro, 6 provincial).

In assessing penalty Stewards took into account his good record and that the carelessness was in the low range.

A Notice of Appeal against the decision and severity of the penalty was lodged on Thursday, 10 August 2017. A stay of proceedings was granted effective to midnight Monday, 14 August 2017.

**DECISION: Appeal against decision dismissed.
Appeal against severity of penalty allowed.**

Taking into account the stay of proceedings, the period of suspension will now expire at midnight on Sunday, 20 August 2017 (6 race meetings).

**Georgie Gavin
Registrar - Racing Appeals & Disciplinary Board**

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

HIS HONOUR JUDGE J. BOWMAN, Chairman

EXTRACT OF PROCEEDINGS

DECISION

JACK HILL

and

RACING VICTORIA STEWARDS

RACING VICTORIA CENTRE, FLEMINGTON

TUESDAY, 15 AUGUST 2017

MR M. HYLAND appeared on behalf of Mr J. Hill

MR C. WALLER appeared on behalf of the RVL Stewards

CHAIRMAN: Mr Jack Hill, you have pleaded not guilty to the charge of careless riding, in that in race 7 at Geelong on 9 August 2017, being a handicap over 2418 metres, you allowed your mount Harvard to shift in when not sufficiently clear of Arohata, ridden by Mark Zahra. This has taken place near the 1900-metre mark. It is alleged that this caused Arohata to be restrained. Also involved was Tintaglia, ridden by Jordan Childs.

The Stewards found the charge proven and imposed a penalty of suspension for eight meetings, having taken into account your good record and the fact that the carelessness was in the low range. You are appealing against the decision of the Stewards and the severity of the penalty.

I have viewed the video of the race, parts of it more than once. It is quite clear that you were trying to take up a position one off the rails and behind the horse ridden by Jordan Childs. It is evident, particularly from the head-on angle, that you looked over your left shoulder and then moved in behind Childs. It is also clear that Mark Zahra then had to at least steady his mount. I accept that you were not two lengths clear of Zahra when you moved into the tight gap behind Childs. This caused Zahra to steady and appeared to have had some effect on the runners behind him. On the transcript at page 3, Mark Zahra said:

I've just had to steady. He's lucky I've got good hands.

However it be described - steadying, checking, taking hold - it is clear that you crossed when not two lengths clear of Mark Zahra and he had to take some

action which had some effect, however mild, on other horses. This was not gross carelessness. It was definitely the low end of the scale. However, the charge of careless riding has been made out and the appeal against the decision is dismissed.

I feel that the carelessness was certainly at the bottom of the low range.

Mr Hill has had a number of reprimands for shifting ground et cetera. This seems to me to be a case that is quite similar to the last one that I heard which was Chris Symons', and each of them has been at the very low end of the range of carelessness. I cannot give Mr Hill the benefit of the plea of guilty because that has not occurred. I am not saying it was wrong, wanting to test the matter, simply that he does not get the benefit of the plea of guilty. In my view, there has to be a period of suspension but to try and keep some parity with, as I say, the very similar case of Chris Symons, I am prepared to vary it from eight to six meetings, the period of suspension to now expire at midnight on Sunday, 20 August 2017.
