



**Racing
Victoria**

**RACING APPEALS
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APPEAL DECISION

CRAIG NEWITT

and

RACING VICTORIA STEWARDS

Date of Hearing: 6 December 2016.

Panel: Judge Bowman (Chair).

Appearances: Mr Robert Cram appeared on behalf of the stewards.
Mr Matthew Hyland of the VJA appeared on behalf of Mr Newitt.

At Moonee Valley on Friday 2 December 2016, jockey Craig Newitt was found guilty of a charge of careless riding on his mount *Gee One Express* in Race 7 the *Ascend Sales Trophies Handicap* (2040m).

The careless riding being that upon straightening near the 200m, he permitted his mount to shift out when not sufficiently clear of *Exilia Miss (NZ)* resulting in that filly being tightened out onto *Anemoi* resulting in *Anemois* hindquarters being turned and *Exilia Miss (NZ)* having to be checked.

Craig Newitt had his licence to ride in races suspended for a period to commence at midnight on Wednesday 7 December 2016 and to expire at midnight on Monday 12 December 2016 - a total of 7 race meetings (2 metro, 5 provincial).

In assessing penalty Stewards took into account his excellent 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 Sunday 4 December 2016. A stay of proceedings was not requested.

DECISION: Appeal against conviction dismissed.
Appeal against severity of penalty allowed.

The period of suspension will now expire at midnight on Sunday, 11 December 2016 (6 race meetings).

Georgie Gavin
Registrar - Racing Appeals & Disciplinary Board

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

HIS HONOUR JUDGE J. BOWMAN, Chairman

**IN THE MATTER OF THE ASCEND SALES TROPHIES HANDICAP
OVER 2040 METRES AT MOONEE VALLEY ON 2/12/16**

CRAIG NEWITT

and

RACING VICTORIA STEWARDS

RACING VICTORIA CENTRE, FLEMINGTON

TUESDAY, 6 DECEMBER 2016

MR M. HYLAND appeared on behalf of Mr C. Newitt

MR R. CRAM appeared on behalf of the RVL Stewards

CHAIRMAN: Mr Craig Newitt, you have pleaded not guilty to a charge of careless riding, in that in race 7 at Moonee Valley on 2 December 2016 near the 200-metre mark, you permitted your mount, Gee One Express, to shift out when not sufficiently clear of Exilia Miss, ridden by Stephen Baster, resulting in that filly being tightened onto Anemoi, ridden by Jake Duffy, which then resulted in Anemoi's hindquarters being turned out and Exilia Miss having to be checked.

The Stewards suspended you for a total of seven meetings, having taken into account your excellent record and viewing the carelessness as being in the low range. You are appealing against both the decision and the severity of the penalty.

I have viewed the video which was from several angles. I am of the opinion that your mount did shift out, and shifted out in the vicinity of a horse or more. You were about two lengths behind the ultimate winner, Onya Keithy, ridden by Jamie Mott. I have little doubt that Mott moved outwards but caused no interference to anyone, being a couple of lengths clear. At about this time, there was a horse on the rails which was Spring Action. Doncella, ridden by John Allen, was behind it. Allen moved out into a comfortable space on the outside of Spring Action. That space was there because your mount had moved further out from its two-wide position, following Mott's mount. So, briefly, we had Spring Action on the rails, quite a comfortable gap to Doncella, another comfortable gap to your mount, Gee One Express, then Stephen Baster's mount, with Jake Duffy's wider again.

I was also able to view the mowing marks or lines on the track. These are at least a rough guide. Looking at them and where the horses were, I am satisfied that Jake Duffy moved very little, but that there was an outward shift from you, following the line of Mott's mount. That caused the tightening to Baster's mount, which in turn contacted the hindquarters of Duffy's mount. I am not satisfied that Duffy moved off his line more than a minimal amount and that was largely after the contact from the inside.

In short, I find the charge of careless riding has been made out and I dismiss the appeal against the decision. The appeal against the severity of penalty is allowed. The period of suspension will now expire at midnight on Sunday, 11 December 2016, a total of six race meetings.
