
DECISION

**RACING VICTORIA STEWARDS
and
THOMAS SADLER**

Date of Hearing: 9 June 2016

Panel: Judge John Bowman (Chair), Mr Geoff Ellis, Prof Raymond Harbridge.

Appearances: Mr Terry Bailey appeared on behalf of the stewards.
Mr Des O'Keeffe appeared on behalf of Mr Sadler.

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 Sadler's ride on *Lonrockstar* in Race 8 the *Brett and Mark Wilson Sprint* (1100m) at Caulfield on Saturday, 14 May 2016.

Plea: Not guilty.

Decision: The Board finds the charge proved.

Mr Sadler convicted and suspended for a period of 3 weeks, commencing at midnight tonight - Thursday, 9 June 2016.

TRANSCRIPT OF PROCEEDINGS

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE J. BOWMAN, Chairman
MR G. ELLIS
PROF R. HARBRIDGE**

EXTRACT OF PROCEEDINGS

DECISION

RACING VICTORIA STEWARDS v THOMAS SADLER

**IN THE MATTER OF THE BRETT AND MARK WILSON
SPRINT OVER 1100 METRES**

MELBOURNE

THURSDAY, 9 JUNE 2016

MR T. BAILEY appeared on behalf of the RVL Stewards

MR D. O'KEEFFE appeared on behalf of Mr T. Sadler

CHAIRMAN: Mr Thomas Sadler, you have pleaded not guilty to a charge pursuant to AR 135(b), when at Caulfield on 14 May 2016, when riding Lonrockstar in the Brett and Mark Wilson Sprint over 1100 metres, you failed to take all reasonable and permissible measures throughout the race to ensure that your horse was given full opportunity to win or to obtain the best possible place in the field. The parts of the race which form the foundation of the charge involve from the 800-metre mark and the 400-metre mark, when Lonrockstar was last, a couple of lengths behind the second-last horse, Taddei Tondo, ridden by Patrick Moloney. Secondly, near the 250-metre mark, you elected not to take a clear run outside Good Offa and Spreadeagled and instead elected to shift back to where there was no clear running. The horse was then held up, could not get that clear run, and was switched back out.

We wish to make one thing clear at the outset: this is a charge pursuant to AR 135(b), not 135(a). There is no suggestion of dishonesty or anything untoward. Mr Bailey, on behalf of the Stewards, quite properly explained that in clear terms. To use racing terms, there is no suggestion that this horse was pulled up.

What is asserted is that this ride, viewed objectively, was culpable, in the sense that it fell below the standards of a jockey in Mr Sadler's situation, that is using the words of the type employed in decisions such as Munce, Lee and Nikolic.

We have viewed the patrol films and read the transcript. We have heard the evidence of Mr Thomas Sadler, the evidence of the trainer of Lonrockstar,

Mr Thomas Sadler's father, Mr John Sadler, and the expert evidence of Mr Danny Brereton. We also appreciate the careful and helpful written and oral submissions that have been made.

We are of the unanimous view that this charge has been made out. Whilst the horse is one that comes from behind and tends to drop out early, we feel that Lonrockstar, in a race over 1100 metres, should have been in closer contact with the field and in particular there should have been some effort by Mr Sadler to improve its position at least by the 400-metre mark. We are even more emphatic in our view that the horse should have been moved out to the outside of Spreadeagled in the straight. Mr Sadler almost moves the horse outside Spreadeagled. He had about one horse width to go for clear running. Instead he made an obvious decision to go back to the inside behind a pack of horses, apparently in the hope of following Patrick Moloney's horse through a gap. By that time, he was about four horses off the fence and going nowhere. He then eased back out to about six horses off the fence but the race was over.

All told, this was a very poor ride, culminating in a bad decision. This was a Saturday metropolitan meeting. Owners, trainers and the public are entitled to expect that their horse will be given full opportunity to win or to obtain the best possible place in the field. That did not happen with Lonrockstar. This was worse than a mere error of judgment. Viewed objectively, it was a very poor ride, below the standards expected of a jockey in such a race and in the situation of Mr Sadler. So, as said, we find the charge proven.

We have viewed the penalties handed down over the years in relation to breaches of Rule 135(b). We agree with Mr O'Keeffe's statement that every case should be viewed on its merits. We are also cognisant of the principles applying to and the importance of general and specific deterrence. Confidence in the racing industry is most important. However, we are of the view that if there be a range, this case is at the bottom of it. As we have said, it was a very poor ride involving a bad decision but one made in a sprint race where there was no time to correct the effects of that ultimate bad decision.

We are of the view that a period of three weeks' suspension is appropriate, that period of suspension to start at midnight tonight.

We would add one further comment: we would recommend that when apprentices are being interviewed by the Stewards in relation to a race, where practicable and possible, a senior rider be present from the outset.
