

APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 24 September 2013

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

Panel Judge Russell Lewis (Chair), Mr Stephen Curtain,
Professor Raymond Harbridge.

Appearances Mr Peter Jurkovsky appeared on behalf of Mr Fry.
Mr Dayle Brown and Mr Brett Wright appeared on behalf of the Stewards.

At an adjourned inquiry on Monday, 16 September 2013, jockey Jarrod Fry was found guilty of a charge of careless riding on his mount *Miss Eccles* in Race 5 the *Trio Sports Club Maiden Plate* (2060m) at Cranbourne on Wednesday, 4 September 2013.

The careless riding being that that passing the 400m, he permitted *Miss Eccles* to shift out when not clear, taking *Where To Next* out onto *Are The Bungs In*, which was carried wider, with *Where To Next*, having to be checked to avoid the heels of *Miss Eccles*.

Mr Fry had his licence to ride in races suspended for a period to commence at midnight on Wednesday, 25 September 2013 and to expire after the completion of the day meeting at Hamilton (10 race meetings).

When considering the matter of penalty, account was taken of J Fry's riding record and that the interference was deemed to be in the low range. The suspension was made wholly cumulative with the 15 meeting suspension that Mr Fry is currently serving for a careless riding charge at Warracknabeal on Sunday, 8 September 2013.

A Notice of Appeal against **the severity of the penalty** was lodged on Thursday, 19 September 2013. A stay of proceedings was not requested.

DECISION: **Appeal allowed.**

The Board ordered that the period of suspension be partially cumulative with the suspension imposed at Warracknabeal. That is, the penalty is varied so that the period of suspension will now expire at midnight on Monday, 30 September 2013.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR S. CURTAIN
PROF R. HARBRIDGE**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE TRIO SPORTS CLUB MAIDEN PLATE
OVER 2060 METRES AT CRANBOURNE ON 4/9/13**

JOCKEY: JARROD FRY

MELBOURNE

TUESDAY, 24 SEPTEMBER 2013

MR D. BROWN and MR B. WRIGHT appeared on behalf of
the RVL Stewards

MR P. JURKOVSKY appeared on behalf of the Appellant

CHAIRMAN: In this case, the Board is satisfied that there should be some reduction in the penalty, although not to any great extent, because we are not satisfied that the hardship is such that it really impacts upon Jarrod Fry. In all the circumstances, we will order partial cumulation so that the suspension will expire at midnight on Monday, 30 September 2013.
