

Appeal decision

Date: 26 June 2015

Code of racing: Thoroughbred

Appeal panel: Mr B Miller (chair), Mr P James and Mr D Kays.

Appearances: Mr M Tutt, solicitor, appeared on behalf of jockey L Tarrant.
Mr A Reardon, Chairman of Stewards, appeared on behalf of the stewards.

Decision being appealed: **Charge 1** - Suspension of licence to ride in races for a period of 6 weeks – AR137(a).

Charge 2 – Suspension of licence to ride in races for a period covered by 8 meetings.

Appeal result: **Charge 1** - Dismissed - penalty varied to 4 weeks suspension.

Charge 2 - Upheld

Extract of proceedings – in the matter of the Mullins Lawyers Grand Prix Stakes over 2020 metres at Doomben on 23 May 2015. Apprentice jockey: Luke Tarrant

THE CHAIRMAN: On Saturday, 23 May in the Grand Prix Stakes, apprentice jockey Luke Tarrant rode Jumbo Prince. We have viewed the film of what has been alleged are two separate incidents, one a reckless incident that occurred soon after the start up to and approaching inside the 100-metre mark, and what the stewards thereafter allege becomes a careless incident at or near the point of the home turn.

In our view, jockey Tarrant rode the horse out of the barrier. He did so with little or no interest in the wellbeing and safeguard of his fellow riders. He did look as Mr Tutt, his advocate indicated, after jockeys had been affected, but the horse itself continued its manoeuvre such that three further jockeys were inconvenienced at or near the home turn, one of those being Boss and the other being Cahill. In our view, the incidents in question should all have been grouped into the one event, and we believe that that event is in fact how this Board will address the issues.

The actions of the jockey were such that by some minor miracle horses did not suffer far more interference and fortunately no one was injured. In our opinion, it is not mere carelessness on the part of the jockey. This Board believes that jockey Tarrant was reckless, and reckless to an extent as advocated by the stewards and in particular by Mr Reardon in the stewards opening inquiry.

In relation to the reckless charge, we find that charge has been a valid charge and we find it proven and the appeal therefore is dismissed in respect to the reckless charge. The appeal is upheld in the second event concerning careless because we find that it should have been grouped into the one charge.

SUBMISSIONS ON PENALTY

Frankly, the Board has taken some little time to consider this aspect, and we are talking now about penalty. We appreciate that a period of six weeks is not regarded as the most severe type of penalty that would be imposed for a charge of careless riding where falls have occurred and so forth. Perhaps through good fortune, good luck or whatever that did not occur, but not withstanding that we have had Luke Tarrant address us. He has accepted the fact that he is an inexperienced rider in races of this calibre. He seems to be forthright in his opinion and his view that he made a mistake, and unlike other jockeys who continually deny that they should in any way be found to be solely responsible; he has taken control of his discipline I suppose and control of his destiny in this regard.

We have decided that in view of that we are prepared to reduce the penalty to four weeks. But we do view the extent of the recklessness to be at the severe end, not at the minor end as was suggested. But the jockey's disciplinary record in the last 13 months, other than some reprimands, has been good. He has turned the corner to what it was beforehand and for that reason we proposed to impose a four week penalty.

Further right of appeal information: The appellant and the stewards may appeal to the Queensland Civil and Administrative Tribunal(QCAT) within **14 days of the date of this decision**. Information in relation to appeals to QCAT may be obtained by telephone on (07) 3247 3302 or via the Internet at www.qcat.qld.gov.au