

## Ashburton RC 19 October 2013 - R 3

### Rules:

[638\(1\)\(d\)](#)

### Name(s):

A Frye-Licensed Apprentice Jockey  
D Frye-Class A Trainer assisting Ms Frye

### Charge:

Alleged breach of Rule 638(1)(d)

### Facts:

admitted

Following the running of Race 3, the Ryal Bush Transport Maiden 1600m, an Information was filed by Stipendiary Steward, Mr M Zarb, against Apprentice jockey, Miss A Frye, the rider of TORQUE IT UP alleging careless riding near the 100m.

The charge reads as follows:

**"I the above named Informant, allege that the above named Respondent, committed a breach of Rule 638(1)(d) in that shortly after approaching the 100m A Frye (TORQUE IT UP) shifted her mount outwards crowding KINGS ROAD (T Moseley) which had to be checked."**

Rule 638(1)(d) reads as follows:

*"(1) A Rider shall not ride a horse in a manner which the Judicial Committee considers to be:  
(d) careless"*

Miss Frye had indicated on the Information that this breach of the Rules was admitted and she confirmed this at the hearing. Miss Frye also agreed that she understood the charge and the Rule it was brought under. As Miss Frye was an Apprentice Jockey, her employer, Mr D Frye, assisted her during the hearing.

Mr Zarb gave evidence and used video coverage to show that near the 100m Miss Frye riding TORQUE IT UP moved into a gap that had presented itself between KINGS ROAD and PENNY LATE. Once in the gap TORQUE IT UP shifted out and continued to shift out, whilst under a ride from Miss Frye, crowding KINGS ROAD who had to be checked. Mr Zarb submitted the level of carelessness was mid-range as were the consequential effects.

Miss Frye stated that TORQUE IT UP was a green horse and was having its first start in blinkers. She said TORQUE IT UP began to race greenly shortly after entering the gap and shift out away from PENNY LATE as the rider on that horse began to use the whip.

Mr Frye submitted that Miss Frye did not use the whip behind the saddle during this incident.

### Decision:

As Miss Frye had admitted this breach of the Rules it was found to be proved.

The charge was found to be proved.