

Levin RC 25 July 2015 - R 7 - Chair, Mr P Williams

Rules:

[638\(3\)\(b\)\(ii\)](#)

Name(s):

Mr L Magorrian - Apprentice Jockey

Mr G Barlow - Stable representative of the Rogerson Training Partnership

Charge:

Facts:

admitted

Following the running of Race 7 the Listed "Courtesy Ford Ryder Stakes" Information A2739 was filed by Stipendiary Steward Mr N Goodwin under rule 638(3)(b)(ii). The Information stated "**Mr Magorrian used his whip in an excessive manner prior to the 200m mark on "Lucky Edie"**". Mr Magorrian signed the Information admitting the breach and at the beginning of the hearing confirmed that was correct and also that he understood the Rule under which he was charged. He was assisted during the hearing by the stable representative for the Rogerson training partnership (the trainers of "Lucky Edie") and former Licensed Trainer Mr G Barlow.

Rule 638(3)(b)(ii) states "*A rider shall not strike a horse with a whip in a manner or to an extent which is excessive.*"

Mr Goodwin showed the side-on and rear view films of the incident from prior to straightening up for the run home. He identified Mr Magorrian running adjacent to the rail and just behind the leaders. Mr Goodwin said that from prior to straightening up for the run home to the 200m mark Mr Magorrian struck "Lucky Edie" 16 times without the required respite. He said he was sure Mr Magorrian was aware of the use of the whip guidelines i.e. the 6 on/6 off requirement, at which point Mr Magorrian confirmed he was.

To a question from the Committee on the severity of the strikes Mr Goodwin said Mr Magorrian had been "quite excessive" in the use of his whip in as he got closer to the 200m but added that the reason for the charge being brought was the excessive number of strikes by Mr Magorrian prior to the 200m mark.

Mr Magorrian said he was only an Apprentice and just learning how to use the whip and in this case he was just "flicking it around" and the strikes were not severe. He agreed with Mr Goodwin that he had struck his horse 16 times from a point prior to straightening up through to the 200m mark.

Mr Barlow asked for the films to be replayed. He said he agreed with Mr Goodwin's interpretation of the film in that "Lucky Edie" was struck with the whip 16 times prior to the 200m mark. To a question from the Committee he said he agreed with Mr Goodwin that the final few strikes were more excessive and harder than the earlier strikes.

Mr Magorrian seemed amused at Mr Barlow's comments and when asked by the Committee what was funny he said that he couldn't see how it was that he could be seen to be hitting the horse hard. Mr Barlow's immediate response was – "watch the film". Mr Magorrian added that he was only an Apprentice and did not hit his horse as strongly as a senior jockey would.

Decision:

As Mr Magorrian admitted the breach the charge was found proved.