

Manawatu HRC 31 January 2020 - R3 - Chair, Mr T Utikere

Rules:

[Rule 869\(3\)\(b\)](#)

Name(s):

Mr J Cowden - Junior Driver

Mr J Abernethy - Open Horseman assisting Mr Cowden

Charge:

Facts:

admitted

Following the running of Race 3 (Cafe Jacko Mobile Pace 2500m) Information A10284 was filed with the Judicial Committee. It alleged a breach of Rule 869(3)(b), specifically that Junior Driver Mr J Cowden "...drove carelessly near the 300 metres when allowing his gelding to contact the sulky wheel of MOLLY DOOKER (B Mangos)."

Rule 869(3) states: *"No horseman in any race shall drive:-...(b) carelessly"*.

With the assistance of Senior Horseman Mr J Abernethy, Mr Cowden confirmed that he understood the Rule and that he admitted the breach.

Using the side-on and head-on films, Mr Muirhead identified BENJAMIN BUTTON (J Cowden) towards the rear as the field approached the final bend. He said Mr Cowden was seeking to improve and shifted ground outwards, and in doing so came into contact with MOLLY DOOKER's wheel. Mr Mangos had looked around post-incident as a result of the contact that was made.

Mr Cowden said he had aimed to improve, but that the films clearly showed that he had made contact.

Mr Abernethy agreed he had hit the wheel but that the horse had travelled strongly, was on the bit, and had made contact with a wheel previously when driven by Mr S Abernethy.

Decision:

As the charge was admitted, the Committee deemed the charge proved.