

## Marton JC 5 January 2019 - R 4 - Chair, Mr N McCutcheon

### Rules:

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

### Name(s):

Mr L Innes - Licensed Jockey rider of IFFINDOUBT  
Mr M Singh - Licensed Apprentice Jockey rider of MISS CONTESSA (witness)  
Ms K Clapperon - Assisting Mr Singh  
Mr J Oatham - Chief Stipendiary Steward

### Charge:

### Facts:

denied

Following the running of Race 4 (Farmlands Marton Congratulates Evan Dix on Turning 100), Information No. A12267 was filed with the Judicial Committee. The Informant alleged that Mr Innes allowed his mount IFFINDOUBT to shift inwards when not sufficiently clear forcing MISS CONTESSA inwards across the heels of MCPHOEBE near the 250m.

Rule 638(1)(d) provides:

*A rider shall not ride a horse in a manner which the Judicial Committee considers to be:*

*(d) careless*

Mr Innes said that he understood the Rule, Charge and confirmed that he did not admit the breach.

The course that the hearing would take and a Defendant's rights were explained to Mr Innes by the Committee.

Mr Goodwin had Mr Oatham show all film replays and asked him to place his interpretation on the alleged incident.

Mr Oatham identified the runners as MCPHOEBE in front on the fence to its outside was IFFINDOUBT with MISS CONTESSA racing in the trail. He said that IFFINDOUBT did swing a little wide making the bend and as they straightened up there was a gap to the inside of IFFINDOUBT. He said that there was ample room for MISS CONTESSA to improve into. He said that MISS CONTESSA had established itself in the gap and that Mr Innes then rode back inwards. This pushed MISS CONTESSA (M Singh) back in across the heels of MCPHOEBE. He said that you could see Mr Innes' left rein being pulled inwards. He added that Mr Innes did straighten his mount after the incident had happened. He added that MCPHOEBE may have shifted a little but that it was only marginal. Mr Oatham concluded by saying that MISS CONTESSA was accidentally struck with the whip of S McKay the rider of MCPHOEBE.

Mr Innes did not have questions of Mr Oatham.

Mr Goodwin called Mr Singh as a witness for the RIU.

Mr Singh said that he had been in the trail and that a gap appeared ahead of him and there was room for him to improve. He said that when he got into the gap he was pushed across heels by the outside horse and ran out of room. He said that contact was made. He added that he was a head to a neck behind Mr Innes when he was pushed back in.

Mr Innes put it to Mr Singh that before they actually straightened that his mount MISS CONTESSA had shifted out and bumped his horse. Mr Innes showed the film a number of times to Mr Singh; however Mr Singh was adamant that he had not shifted out onto Mr Innes' mount IFFINDOUBT.

### Decision:

At this stage of proceedings Mr Innes said that in light of the evidence he sought leave to change his plea to one of "Admitted the breach".

This was agreed to by the Committee with the Information amended and signed accordingly by Mr Innes.

Due to the breach being admitted it was deemed to be proved by the Committee.