

## R Rotorua 12 April 2017 - R 1 - Chair, Mr A Dooley

### Rules:

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

### Name(s):

Ms E Farr - Apprentice Jockey

Mr G Rogerson - Licensed Trainer assisting Ms Farr

Mr A Coles - Stipendiary Steward

Mr R Cole - Rider of LA VAMOS

Mr S Phelan - Rider of HARBOURBRIDGE

### Charge:

### Facts:

denied

Following the running of race 1, Independent Security Consultants Highweight, an Information was filed pursuant to Rule 638(1)(d). The Informant, Mr Williamson, alleged that **Ms Farr allowed her mount SUFFICE TO SAY to shift in dictating LA VAMOS (R Cole) in onto HARBOURBRIDGE (S Phelan) which had to be checked losing ground at 1650 metres.**

Ms Farr acknowledged that she understood the Rule and confirmed that she denied the breach. Mr G Rogerson, Trainer assisted his Apprentice Ms Farr at the hearing.

Rule 638(1) (d) provides: *A Rider shall not ride a horse in a manner which the Judicial Committee considers to be careless.*

Mr Williamson told the Committee he would be calling 3 witnesses namely Stipendiary Steward Mr Coles, and riders Mr Cole and Mr Phelan.

The following are the salient points of this hearing.

Mr Coles identified all the horses involved in the alleged incident by using the available video footage. He demonstrated that Ms Farr allowed her mount to shift in when not the required distance clear of LA VAMOS. He said this resulted in that runner shifting in onto HARBOURBRIDGE which had to be checked losing ground. He identified on the head – on film that prior to the incident HARBOURBRIDGE was over racing.

Mr Rogerson said he did not agree with Mr Coles' interpretation of the incident and would cover that off when he presented his submissions.

Mr Williamson then called Mr Cole the rider of LA VAMOS as a witness. Mr Cole stated that Ms Farr shifted into his line when she was at best only 1 length clear of his mount. He said that he tried to take a hold of his mount to relieve the pressure to the horses on his inside.

Under cross examination from Mr Rogerson, Mr Cole reaffirmed that Ms Farr was only a bare length clear of his mount when she shifted into his line of running. Mr Rogerson disputed this fact.

Mr Williamson then called Mr Phelan the rider of HARBOURBRIDGE as a witness. Mr Phelan stated that he received pressure from his outside and he didn't realise that Mr Farr was racing on the outside of Mr Cole. He said that HARBOURBRIDGE was having its first start in blinkers and admitted his mount raced a bit keen. He added that he had to check his mount due to the pressure he received from his outside.

Under cross examination Mr Phelan reaffirmed to Mr Rogerson that HARBOURBRIDGE was tending to over race prior to the incident.

Mr Rogerson submitted that it was clear that HARBOURBRIDGE was over racing and contributed to the incident. He said that Mr R Cole was an inexperienced rider and this showed when Ms Farr was racing on his outside. He was of the view that Ms Farr was being used as a “scapegoat” and her actions were not deliberate. He said there was no way LA VAMOS was on SUFFICE TO SAY’S heels when Ms Farr shifted inwards.

Ms Farr advised that Mr Cole had informed her prior to the start that he was going to the front. She said that Mr Cole failed to make a decision when racing outside the leader. Ms Farr stated that she relieved the pressure when she could.

Mr Williamson in summing up submitted that it was accepted by all parties that HARBOURBRIDGE was over racing in the early stages of the race. He identified on the mown strips that Ms Farr allowed her mount to shift in and crowd LA VAMOS when only  $\frac{3}{4}$  to 1 length clear. He said that Mr Cole was not in a position to relieve the pressure. He highlighted that Mr Phelan was racing  $\frac{3}{4}$  of a length behind Mr Cole when the interference occurred. He identified on the head – on film that Ms Farr dictated Mr Cole in when not sufficiently clear which caused Mr Phelan’s mount HARBOURBRIDGE to be checked and lose ground.

Mr Rogerson in summing up reiterated that there was no way Ms Farr dictated Mr Cole inwards. He said that Mr Phelan was in trouble before being checked and the charge against Ms Farr was totally wrong. In conclusion he said Ms Farr had given the riders to her inside plenty of room.

Ms Farr in summing up said that Mr Cole failed to make a decision to move forward due to his inexperience and this contributed to the interference.

**Decision:**

The Committee carefully considered all of the submissions presented. The Committee was able to synchronise the relevant video footage and spent some time studying the incident. It was established that leading up to the incident Ms Farr was racing in a 5 wide position with Mr Cole in a 4 wide position and Mr Phelan in a 3 wide position. It was evident that Ms Farr looked to her inside several times when going forward and endeavouring to shift in closer to the running rail. It was clear that Ms Farr permitted her mount to shift in 1 horse width when she was only a bare length clear of LA VAMOS. This resulted in that runner having its rightful running line taken and forced into the running line of HARBOURBRIDGE. This caused Mr Phelan to take a firm hold of his mount and lose ground. This was plain to see on the back – on film and at that point LA VAMOS was only  $\frac{3}{4}$  of a length clear of HARBOURBRIDGE.

It was noticeable that HARBOURBRIDGE was over racing prior to the incident and this contributed slightly to the interference. Shortly after the interference had occurred it was clear on the head – on film that Ms Farr shifted out 1 horse width into her original running line and relieved the pressure albeit it was too late.

For the reasons detailed above the Committee find the charge proved. The Committee note that “interference” *is defined as: a horse crossing another horse without being at least its own length and one other clear length in front of such other horse at the time of crossing.*