

Wairarapa RC 9 October 2014 - R 3

Rules:

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

Name(s):

Mr J Parkes - Licensed Jockey

Mr M Williamson - Stipendiary Steward

Mr R Hannam - Rider of LOOKHEREPAL

Charge:

Facts:

denied

Following the running of race 3, the "Garrity Bros/AFFCO Maiden 3YO 1400", Information A6764 was filed by Stipendiary Steward Mr N Goodwin under Rule 638(1)(d). The Information stated "**J Parkes "Spendaholic" allowed his mount to shift out under pressure from the 100m when not sufficiently clear of "Lookherepal" (R Hannam) which was hampered**". Mr Parkes signed the Information stating he did not admit 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.

Rule 638 (1) (d) states "*A rider shall not ride a horse in a manner which the Judicial Committee considers to becareless*".

Stipendiary Steward Mr Goodwin said the charge had arisen because over the final 100m of the Race Mr Parkes, the rider of "Spendaholic", had allowed his mount to shift out over some distance dictating "Lookherepal" (R Hannam) over extra ground. He said Mr Parkes' actions required Mr Hannam to take hold of his mount and come off the heels of Mr Parkes and angle his mount inside Mr Parkes in an effort to finish in the highest possible placing. Mr Goodwin said the Stewards felt Mr Hannam, who finished third, would probably have run second had his run to the line not been interrupted by the actions of Mr Parkes.

To a question from the Committee Mr Goodwin said Ms Latta, the trainer of "Lookherepal", and Mr Hannam had reviewed the films of the final stages of the race and after some consideration both decided they did not think "Lookherepal" would have finished ahead of "Spendaholic" which won the race. Mr Goodwin said the Stewards had also considered lodging a protest but he and Mr Williamson were not totally convinced they could support it.

Stipendiary Steward Mr Williamson, using the head-on film of the race from the top of the home straight highlighted Mr Parkes racing in the middle of the track and leading the race. He said approximately 100m from the finish "Spendaholic" commenced running out under pressure and impeded the run of "Lookherepal" who was behind and to the outside of "Spendaholic". Mr Williamson said that as "Spendaholic" continued to move out and impede "Lookherepal" Mr Hannam was forced to take hold of his mount and come off the heels of "Spendaholic" and shift to the inside of that horse in order to try and improve his position. Mr Williamson, using the side-on and back straight views of the incident, said that as Mr Parkes shifted outwards he was only a "bare length" in front of Mr Hannam which was why Mr Hannam had to take hold of his mount.

Mr Goodwin called Mr Hannam to give evidence. To a question from Mr Goodwin Mr Hannam said his mount had been dictated outwards by Mr Parkes' mount at approximately the 100m point. Mr Hannam said that at approximately the 75m point, because he continued to be dictated out and couldn't make up any ground on Mr Parkes' mount, he chose to change ground and drive up on the inside of Mr Parkes whose mount was still moving outwards. He said his horse then ran on strongly being only beaten by a long neck and a nose into third. Mr Hannam said he did not think he had to check off the heels of Mr Parkes but he certainly had to take a hold. He also said Mr Parkes was only a length clear when he took hold of "Lookherepal" and switched to the inside of Mr Parkes. To a question from Mr Parkes, Mr Hannam said he was not forced to go inside but had he not done so he would have been forced over additional ground. He repeated that answer when Mr Goodwin asked him to confirm, in particular, that he chose to move inwards to try and obtain a better finishing position. Mr Parkes asked Mr Hannam if he thought he could have run second. Mr Hannam said he thought he was always going to run third but by moving to the inside to get a better run to the line he had finished closer to the first two horses than would have been the case had he continued to be dictated outwards by Mr Parkes.

Mr Parkes, using the front and side on films, said it was quite clear his horse had run out. He said he did not believe Mr Hannam had come off his heels but had rather taken a hold of his own account. He said he thought had Mr Hannam not taken a hold he probably

would have run second but not won the race. Mr Parkes said he straightened his horse when it started to drift out but it was pointed out to him the particular action he was highlighting occurred prior to the 100m and was not a matter that was covered by the Information that had been laid.

Mr Goodwin, in summing up, said the films clearly showed that Mr Parkes had made no attempt to straighten his mount during the incident. He said Mr Hannam's mount may have shifted out slightly because of the outward movement of Mr Parkes but he had still been denied a clear run to the finish line. He said Mr Hannam had anticipated that he would have continued to be taken wider on the track and to avoid this happening had chosen to take a hold and move inside Mr Parkes. He said the side on film clearly showed Mr Hannam standing in the saddle and reminded the Committee that Mr Hannam had said Mr Parkes was never the required length and another clear when he moved outwards. He said it was the stewards' view that with a straight run to the line it was highly probable Mr Hannam would have run second and it was because of this that the Information had been laid.

At this point in the hearing it had to be adjourned as Mr Parkes had a ride in the upcoming race.

On the resumption of the hearing Mr Parkes said he had nothing further to say when given his opportunity to sum up.

Decision:

The Committee has reviewed all the available films of the incident and carefully considered the submissions and evidence of all parties. Whilst it was an important part of the Stewards' submissions that they believed Mr Hannam may have finished in a better place than third we cannot be sure that is the case. Indeed, Mr Hannam himself said he thought he would only run third although his actions in moving inside of Mr Parkes did allow him to finish more strongly than would have been the case had he stayed to the outside of Mr Parkes.

The issue for the Committee is to determine if "Lookherepal" and Mr Hannam were hampered by the actions of Mr Parkes inside the final 100m of the Race. The head-on film clearly shows that at approximately 100m from the finish of the race "Spendaholic", ridden by Mr Parkes, commenced to move outwards some three horse widths dictating "Lookherepal" wider on the track. Mr Hannam can then be clearly seen standing up in the saddle and taking a hold of his horse before switching to the inside of Mr Parkes and running on strongly to the line. The Committee notes that Mr Goodwin said Mr Parkes was a "bare length" in front of Mr Hannam with the latter also saying Mr Parkes was not the required 1 length and another clear when shifting out. The Committee believes Mr Parkes was only just over a length clear when moving out and also notes he made no attempt to straighten his mount during the incident.

The Committee therefore believes Mr Parkes has ridden carelessly in allowing his mount to move out when not sufficiently clear of "Lookherepal" which was hampered.

The Committee finds the charge proved.