

**SOUTH AUSTRALIAN
RACING APPEALS TRIBUNAL**

RAT 20/2022

DATE OF HEARING: TUESDAY 6 December 22

TRIBUNAL: PRESIDENT: MR TIM ANDERSON, KC

ASSESSOR: MR GLYNN PRETTY

IN ATTENDANCE:

MR MATT SANTORO, CHIEF STEWARD, RACING SA LTD

MS KAYLA CROWTHER, APPELLANT

IN THE MATTER of an Appeal by **MS KAYLA CROWTHER** against a decision of Racing SA Ltd Stewards.

BREACH OF RULE: AR 131(a)

A rider must not, in the opinion of the Stewards:

(a) engage in careless, reckless, improper, incompetent or foul riding;

PENALTY: SUSPENSION OF LICENCE TO RIDE FOR 5 MEETINGS

DETERMINATION

Ms Crowther is a licensed jockey in South Australia. On 14 October 2022 she rode the horse Agreeable in the Murray Bridge Gold Cup, which was race 9 on the program. This was a listed race over 1600 metres.

The Stewards' report into the race reads as follows: *“Agreeable (K Crowther – rider) was found guilty to a charge of careless riding under AR 131(a) in that she shifted out near the 400 metres when insufficiently clear of Montign, carrying that*

runner out into Zoulah, which had to be checked, and was suspended from riding in races for a period to commence midnight Saturday, 22 October 2022 and to conclude midnight Tuesday, 1 November 2022, a period of five meetings.

At the hearing before the Stewards, Ms Crowther pleaded not guilty. She now appeals against both her conviction and the penalty. The vision of the race shown from different angles shows that at about the 400-metre mark, the horse ridden by Ms Crowther moves out from its position on or near the rails probably five or six horses before the incident occurs. The incident occurs when Ms Crowther's horse bumps the horse Montign, ridden by Ms Logan. That in turn caused the rider of Zoulah, Mr Ben Price, to check his horse, which is also obvious on the vision.

Ms Crowther, in the hearing before the Tribunal, described the contact between her horse and Ms Logan's horse as a 'slight brush' and suggested that this was something which occurred throughout races and indeed was a minor incident which did not cause any embarrassment to the rider.

Ms Crowther maintained that this version of events was supported by Ms Logan, and she produced a short signed statement from Ms Logan to that effect. She also produced a statement from Mr Ben Price to the effect that his horse was already tiring and that he was not seriously inconvenienced.

Mr Zarb, on behalf of the Stewards in this matter made the following points:-

- (1) There was no need for Ms Crowther to have shifted.
- (2) She had a run which was available to her.
- (3) Ms Logan had a run but it was taken away from her by Ms Crowther.

The vision of the race bears this out and having reviewed the vision several times, it is my view that Ms Crowther's description of a 'slight brush' is not entirely

accurate, and it could be better described as a bump which clearly moved Ms Logan's horse further to the outside.

Ms Crowther maintained that it was not carelessness and that she was entitled to have the decision of the Stewards reversed.

It is my view that her actions in moving from a rails position to five or six horses wide and then continuing to move and then bumping and impeding Ms Logan's horse was careless.

The appeal on conviction is therefore dismissed.

In relation to penalty, the Stewards started at a penalty of six race meetings because this was a listed race. This was an appropriate approach to take.

They then reduced that by one meeting for Ms Crowther's record. They indicated that she had been suspended, in fact, including this one, five times in the last 12 months. That must be taken in the context of the fact that she is a very popular and successful rider and had many rides throughout that period and probably more rides than most jockeys in South Australia.

However, I asked the Stewards for a copy of her whole record and provided that to Ms Crowther for her comment. She accepted that the record was accurate.

The record shows that apart from the suspensions for careless riding, she was also reprimanded on several occasions for careless riding and on one occasion was severely reprimanded.

I therefore conclude that the Stewards were correct in only reducing the penalty by one meeting for her riding record, and suspending Ms Crowther from riding in races for five race meetings.

The orders I make are:-

- (1) Appeal against conviction dismissed.
- (2) Appeal against penalty dismissed.
- (3) I order the refund of the \$400 paid in the bond lodged with this appeal.
- (4) I order that the suspension commence at midnight on Sunday,
11 December and conclude at midnight on Wednesday, 21 December.