

**SOUTH AUSTRALIAN
RACING APPEALS TRIBUNAL**

RAT 18/2022

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

MR DYLAN CABOCHE, APPELLANT

IN THE MATTER of an Appeal by **MR DYLAN CABOCHE** 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 4 RACE DAYS

DETERMINATION

Mr Dylan Caboche is a licensed jockey in South Australia. Following the running of race 9 at Morphettville Parks on Saturday, 1 October 2022, Mr Caboche was suspended from riding in races for four meetings.

The Stewards, after interviewing the relevant jockeys and viewing the race vision of race 9, made the following report: *“Near the 1,000 metres, shifted in when insufficiently clear of Venusian, forcing its rider to take hold. Rider pleaded guilty*

to a charge of careless riding under AR 131(a) in that he shifted ground when insufficiently clear and was suspended from riding in races for a period to commence at midnight on Sunday, 9 October and to conclude at midnight on Wednesday, 19 October 2022, a period of four meetings.”

At the hearing before the Stewards, Mr Caboche pleaded guilty to the charge of careless riding. His appeal therefore only relates to his penalty.

Mr Caboche thought that his record entitled him to a reduction of more than one meeting and submitted that the appropriate penalty was three meetings.

The question of his record is of relevance. Prior to 17 September 2022 he had a good riding record, having many rides and a clear run for approximately nine months.

The incident itself was described by the Stewards as mid-to-high range for carelessness and low-to-mid range for the consequences of that carelessness.

I agree in relation to the consequences, but I think it was in the range of low-to-mid for the degree of carelessness.

Mr Caboche took the running of the other horse, Venusian, when he was not clear to do so and thereby inconvenienced the rider. This is obvious from the vision of the race.

Having considered the matter, it is my view that the Stewards were correct in using a starting point of five race meetings and reducing it by one meeting for Mr Caboche's guilty plea.

However, I also agree with the Stewards in not reducing the penalty further because this was the first race meeting at which Mr Caboche rode following his

earlier suspension. I think this was a relevant factor and therefore the Stewards were correct in not reducing the penalty further.

The appeal is therefore dismissed and I make the following orders:-

- (1) Appeal dismissed.
- (2) A penalty to commence at midnight on Saturday, 10 December and to conclude at midnight on Saturday, 17 December, meaning that Mr Caboche will miss four meetings as ordered by the Stewards.