12 April 2022

**DECISION**

**RACING VICTORIA**

**and**

**BLAIKE McDOUGALL**

**Date of hearing:** 31 March 2022

**Panel:** Judge John Bowman (Chairperson).

**Appearances:** Mr Brett Wright appeared on behalf of the Stewards.

Mr James Winks represented Mr Blaike McDougall.

**Charge:** Australian Rule of Racing (“AR”) 131(a) states:

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

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

**Particulars of charge:** Blaike McDougall (Do It La) pleaded guilty to a charge of careless riding under the provisions of AR131(a), in that approaching the 150 metres, he permitted his mount to shift out when not sufficiently clear of Highland Harley, which was hampered and steadied out to avoid Do It La's heels. Blaike McDougall's licence to ride in races was suspended for a period to commence midnight 2 April 2022 and to expire midnight 10 April 2022, a total of 10 race meetings (2 metropolitan, 8 provincial). In assessing penalty, account was taken of his guilty plea, record and that the carelessness was in the mid-range.

**Plea:** Guilty

**DECISION**

Mr Blaike McDougall, you are appealing against the severity of the penalty of careless riding imposed on you by Stewards in relation to your ride on Do It La in Race 2 over 1500 metres at Mornington on 26 March 2022. The other horse involved was Highland Harley, ridden by Mr Declan Bates.

The carelessness alleged involves interference at approximately the 150 metre mark. Ultimately, your horse finished second and Mr Bates’ horse finished third, beaten by a reasonable margin. The race was one for two year olds.

Essentially, Mr Wright, on behalf of the Stewards, asserted that you struck the horse with the whip with your right hand. It moved out one to one and a half horses, with you still riding it and causing the interference before you straightened it.

You assert that the horse, a two year old, was racing very greenly and shifted out very sharply when you struck it with the whip. You did not expect it to shift out sharply. If it reacted to the whip, you would have expected it to pull away towards the rails.

I have viewed the video many times. I accept that your horse did race greenly. It’s movement out to the right was quite sharp. You are pleading guilty, and it is clear that you did not immediately straighten her and appear to have possibly contacted her again with the whip before straightening her up. Like many incidents in racing, all this happened very quickly, although the interference was quite noticeable.

You should have straightened your mount more quickly, rather than continuing to ride her out. However, she did react to the whip virtually immediately and probably not in a way that you anticipated.

I have weighed all of this up, along with the fact that you are a very busy jockey with a good record. You have had 256 rides since your last careless riding suspension.

In all the circumstances, particularly the rapid and unexpected way in which things happened, although you were careless in not reacting immediately, I am prepared to uphold your appeal and reduce the period of suspension to 8 meetings.

You have been assisted not just by Mr Winks, but by your acceptance of responsibility from the outset and your plea of guilty.

Mark Howard
Registrar, Victorian Racing Tribunal