26 May 2023

**DECISION**

**RACING VICTORIA**

**and**

**JARROD FRY**

**Date of hearing:** 23 May 2023

**Panel:** Judge John Bowman (Chairperson) and Judge Kathryn Kings (Acting Deputy Chairperson).

**Appearances:** Mr Damien Carr appeared on behalf of the Stewards.

Mr Jarrod Fry represented himself.

**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:** Jarrod Fry (Sir Juggernaut) Pleaded guilty to a charge of careless riding under the provisions of AR131(a), the carelessness being that passing the 200m he permitted his mount to shift out when not clear of Palani, which was bumped and carried outwards onto Judestar, which was also carried outwards, resulting in Dexa Bill being steadied and losing its running when crowded between Judestar and Spanish Snitzel. Jarrod Frys licence was suspended for a period to commence at midnight 20 May 2023 and to expire at midnight 28 May 2023. (10 meetings, 2 metropolitan, 8 provincial). In assessing penalty Stewards deemed the incident to be in the mid range and took into consideration his guilty plea and record.

**Plea:** Guilty

**DECISION**

Mr Jarrod Fry, you are appealing against the penalty for careless riding imposed upon you by the Stewards in respect of your ride on Sir Juggernaut in Race 7 over 1500 metres at Bendigo on 17 May 2023. The charge is based upon interference at approximately the 200 metre mark.

In summary, the basis of the charge is that you were trapped behind other horses in the straight approaching the 200 metre mark. You were approximately six horses from the rails and behind a horse that was not finishing strongly. You moved comparatively sharply out from behind that horse, causing your mount to brush with that of Mr Damien Oliver, forcing him wider on to Mr Joe Bowditch’s mount. He was in turn forced wide, causing Ms Rose Hammond’s horse to be sandwiched between that of Mr Bowditch and that of Mr Harry Coffey, on the extreme outside. We agree with the Stewards that Mr Coffey essentially followed a straight line ahead at the relevant time. He was being actually pushed out a little. Ms Hammond was largely the recipient of the interference.

The Stewards took into account your very good record and your plea of guilty and imposed a period of suspension for ten meetings. It is that which you are appealing. We do not accept that act other jockeys made a contribution to what occurred. We would regard your record as being outstanding. We accept that you have had 723 rides since your last careless riding suspension in the vicinity of 12 months ago. You are a particularly busy jockey with a record that is seldom seen. It is solely because of that record – one that is, as stated, simply outstanding – that we allow the appeal and reduce the penalty by one meeting. We appreciate that the Stewards had taken into account your plea of guilty and what they described as your very good record. As stated, we would put it in the outstanding category, and hence the appeal is allowed and the suspension is reduced to nine meetings. That seems to us to be the appropriate penalty.

Mark Howard

Registrar, Victorian Racing Tribunal