2 March 2021

**DECISION**

**RACING VICTORIA**

**and**

**MICHAEL POY**

**Date of hearing:** 16 November 2020

**Panel:** Judge John Bowman.

**Appearances:** Mr Darren Triandafillou appeared on behalf of the Stewards.

Mr Michael Clarke represented Mr Michael Poy.

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

A rider must not, in the opinion of the Stewards engage in careless, reckless, improper, incompetent or foul riding.

**Particulars of charge:** Michael Poy (Mr Joobs) pleaded guilty to a charge of careless riding under the provisions of AR131(a), the careless riding being that near the 200 metre he permitted his mount to shift in from behind Prosecutor when he was not entitled to and in doing so made contact with Grand Quill, unbalancing that gelding and further taking it in shortly after, resulting in Casino Princess being steadied when taken in towards the heels of Handsome Fighter. Michael Poy had his permit to ride in races suspended for a period to commence midnight 14 November 2020 to expire midnight 21 November 2020, a total of eight race meetings (2 metropolitan, 6 provincial). In assessing penalty Stewards took into account his guilty plea, record and that the carelessness was in the low range.

**Plea:** Guilty

**DECISION**

Mr Michael Poy, you are appealing against a decision of the Stewards in relation to Race 3 at Cranbourne on 6 November 2020. The race was over 2060 metres. You were riding “Mr Joobs”. Other relevant horses were “Casino Princess” ridden by Mr Michael Walker, “Grand Quill” ridden by Mr Jason Maskiell and “Prosecutor” ridden by Mr Noel Callow.

The alleged interference occurred at about the 100 metre mark. The penalty imposed by the Stewards was a suspension for 8 meetings. You are appealing this penalty.

I have viewed the video, both side on shots and the head on vision, many times. Mr Triandafillou stated the interference really occurred in two stages or incidents. The earlier related to the taking of a run between Prosecutor and Casino Princess. You and Jason Maskiell may have wanted to ride for a gap between those two horses at the same time. Prosecutor drifted out a little and you had claimed the run. There may have been some good fortune in this and there may have been some minor bumping. The fact of the matter is that the run did open up for you and you did take it. I am not attaching great weight to that incident.

However, immediately after it, you moved towards the rails and were riding hard. You did cause interference to Michael Walker. Casino Princess was probably tiring and was described by Mr Walker as going nowhere. However, you clearly interfered with Casino Princess causing Mr Walker to take hold of the horse and restrain it. Whilst admitting the interference, you have argued what was suffered by Mr Walker was very low and this horse was weakening in any event.

Mr Triandafillou described your record as fair whilst you refer to it as good or very good. Over a period of some 700 rides, there have only a couple of suspensions for careless riding. Unfortunately, there have been two this calendar year. On 1 April 2020 you were suspended for 8 meetings and on 31 August 2020 you were suspended for 12 meetings, reduced to 10 on appeal. Thus, your recent record is only fair.

Weighing all the factors, I am of the view that the penalty of 8 meetings suspension imposed by the Stewards was fair. It was obvious interference to Casino Princess and it had to be quite noticeably checked. You were riding hard at the time. 8 meetings seems appropriate.

Doubtless you will be disappointed with this outcome, which is understandable. I will add the following, which is probably only slight consolation. As mentioned by Mr Triandafillou, you have just joined the ranks of senior jockeys after an outstanding apprenticeship and I have little doubt that you have a long successful career ahead of you. I join with Mr Triandafillou in wishing you well.

The appeal is dismissed.

Mark Howard
Registrar, Victorian Racing Tribunal