8 July 2021

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**PAUL HAMBLIN**

**Date of hearing:** 24 June 2021

**Panel:** Judge John Bowman (Chairperson) and Mr Des Gleeson.

**Appearances:** Mr James Hitchcock appeared on behalf of the Stewards.

Mr Matthew Hyland represented Mr Paul Hamblin.

**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:** Paul Hamblin (Power of Words) was found guilty of a charge of careless riding under AR131(a) in that he permitted his mount to shift ground approaching the second fence of the Tozer Rd double when not clear of Laylite which was taken in onto Longclaw which was left without sufficient racing room to negotiate the fence and as a consequence made contact with the wing resulting in Aaron Mitchell becoming severely unbalanced and Longclaw being checked. Paul Hamblin’s license to ride in jumps/highweight races was suspended for a period of 6 races commencing midnight Saturday 26 June 2021 and to expire at the expiration of the second jumps/highweight race at Warrnambool on Sunday 4 July 2021. In assessing penalty Stewards took into consideration Paul Hamblin’s record and deemed the incident to be in the mid-range.

**Plea:** Guilty

**DECISION**

Mr Paul Hamblin, you have pleaded guilty to a charge of careless riding in Race 1, the Robert One Real Estate Steeplechase, at Warrnambool on 17 June 2021. You were riding Power of Words. Other relevant riders and horses were Aaron Mitchell on Longclaw and Aaron Lynch on Laylite. The interference that forms the basis of the charge occurred leading into and particularly at the second jump at the Tozer Rd double. In essence, you tightened Aaron Lynch, who was on your immediate inside, who in turn tightened Aaron Mitchell. His horse made contact with the wing of the jump, noticeably striking it. Aaron Mitchell’s boot come out of one iron and, whilst he briefly scrambled, Longclaw had to be eased out of the race. The penalty imposed by the Stewards was one of suspension for 6 jumping and highweight races.

When interviewed after the race, both yourself, and particularly Aaron Mitchell, attributed some blame to Aaron Lynch, in essence asserting that he had pushed up on your inside whilst you were cornering and into the jump. A space for three horses became a space for only two as the jump was negotiated. You pleaded not guilty when interviewed by the Stewards after the race, although you seem to have been in two minds. Indeed, on the following day you contacted the relevant Steward, Mr Hitchcock, in an attempt to change your plea. Unfortunately, it was too late, but you have pleaded guilty before us and have had the assistance of Mr Matthew Hyland.

We appreciate that the fairly sharp right hand turn into the second jump of the Tozer Road double makes it unusual. You had drifted out a little to negotiate that turn, which is not an unusual manoeuvre, but then moved back towards the inside, not expecting Aaron Lynch to kick up. We agree that the second jump of the double is a feature not found frequently, but you are an experienced and very capable jockey familiar with the layout. We are of the view that your plea of guilty is an appropriate one.

We accept that you have a good record. You ride over the jumps and in highweight races, but are essentially based on the Sunshine Coast in Queensland. You ride on the flat in Queensland, at a variety of meetings, and particularly on horses that are up in the weights. You are a full time jockey, but ride down here in the jumping carnivals and when requested so to do by trainers. You have been in the industry for years and your services in jump races are frequently requested.

We particularly take into account your plea of guilty, also bearing in mind that you attempted to so plead the day after the race. We have referred to your record. We also take into account the unusual nature of the jump and lead up to it, although arguably that should have had you on high alert for a horse kicking up on your inside, even if it is unusual at that particular jump.

Bearing all of these matters in mind and particularly your plea of guilty and the circumstances surrounding it, we are prepared to allow the appeal. The penalty is reduced to one of suspension for four jumps and highweight races.

Mark Howard
Registrar, Victorian Racing Tribunal