24 January 2024

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**TAYLA FRENCH**

**Date of hearing:** 16 January 2024

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

**Appearances:** Mr Nicholas Murray appeared on behalf of the Stewards.

Ms Tayla French represented herself.

**Charge:** Australian Harness Racing Rule (“AHRR”) 149(2) states:

(2) A person shall not drive in a manner which in the opinion of the Stewards is unacceptable.

**Particulars of charge:** The particulars of the charge being that in Race 6 at Charlton on 20 July 2023, when the driver of STEVIE GEE, after progressing forward from the start from barrier 7 on the front row, that from near the 1900m until crossing to obtain the lead passing the 1500m, Ms French drove forward and applied pressure to the leader MENEWA resulting in a lead time of 33.3 seconds being recorded. Stewards were of the opinion that the driving tactics in persevering for the lead during the applicable section were unacceptable and detrimental to the performance of STEVIE GEE and the main contributing factor for the horse finishing in 7th position beaten 19.9m. In assessing penalty in accordance with the HRV Minimum Penalty Guidelines, Stewards took into account that this was a first applicable offence under the relevant rule since Ms French commenced driving in races in July 2018 and having driven in approximately 2300 races. Further, Ms French’s high driving frequency and the low-medium range degree of culpability in the circumstances. Ms French’s licence to drive in races was suspended for 3 weeks to commence midnight 25 November 2023.

**Plea:** Guilty

**DECISION**

Ms Tayla French, you are appealing against the severity of the penalty of three weeks suspension imposed on you for a breach of AHRR 149(2) in Race 6 at Charlton on 20 July 2023. The suspension arose from your drive of Stevie Gee in that race.

There have subsequently been fruitful discussions between yourself and the Stewards, particularly Deputy Chief Steward, Mr Nicholas Murray. The end result is that the parties have agreed that, subject to approval, the appeal should be allowed and the penalty reduced to a penalty of two weeks.

Of course the final decision as to the disposition of the appeal is one for this Tribunal. However, if the parties have reached an agreed position, that is a factor that carries some considerable weight in the Tribunal’s considerations.

I accept that, as described by the Stewards, you have an “exceptional record” covering approximately 2,300 race drives, commencing in July 2018, without there being relevant offending. Obviously that weighted heavily in the Stewards consideration of the reduction of the penalty from three weeks suspension to the proposed two weeks suspension.

As I understand it, the proposed reduction also followed your making it clear that you were pleading guilty to the charge.

In all those circumstances, I have no hesitation in allowing the appeal against penalty and reducing that penalty from three weeks suspension to two weeks. Finally, I congratulate the parties on the very sensible approach that has been taken, I will leave the question of the starting date of the period of suspension to the parties.

Mark Howard

Registrar, Victorian Racing Tribunal