28 March 2024

**DECISION**

**RACING VICTORIA**

**and**

**CRAIG NEWITT**

**Date of hearing:** 13 March 2024

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

**Appearances:** Mr Dion Villella appeared on behalf of the Stewards.

Mr Craig Newitt represented himself.

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

(1) A rider must not, in the opinion of the Stewards:

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

**Particulars:** Rider Craig Newitt (Artistica) pleaded guilty to a charge of careless riding under the provisions of AR131(a), in that approaching the 400m he permitted his mount to shift out when trailing Charming Assassin, when not sufficiently clear of Track And Field resulting in Track And Field losing its rightful running between Artistica and Greenidge. C Newitt had his licence to ride in races suspended for a total of seven race meetings (1 metropolitan, 6 provincial), with the period to commence on Sunday 17 March 2024 and expire on 22 March 2024. Accordingly, C Newitt will be able to return to ride on 23 March 2024. In assessing penalty, account was taken of his guilty plea, good record and that the incident was in the low range.

**Plea:** Guilty

**DECISION**

Mr Craig Newitt, you are appealing against the penalty imposed on you by the Stewards in relation to a chair of careless riding. It arises out of your ride on “Artistica” in Race 3 over 1,000 metres at Pakenham on 7 March 2024.

The other horse principally involved was “Track and Field”, ridden by Mr Matthew Cartwright. The incident involving the horses occurred in the vicinity of the 400 metre mark.

I have viewed the video many times. Mr Zac Spain was to the outside of Mr Cartwright in a position which essentially prevented Mr Cartwright from moving to his right.

Ms Carleen Hefel was virtually directly in front of you, and you were gaining on her. You shifted to the outside of her heels, although you emphasised that it was not a big shift. I accept that your movement tightened Mr Cartwright, remembering that Mr Spain was in close proximity on his outside. Mr Cartwright had to ease out of his position.

Essentially the argument of the Stewards in that you shifted out and took Mr Cartwright’s running.

You admit freely that you “misread the play”. You pleaded guilty before the Stewards. The interference is certainly at the lower end of the scale, as agreed by Mr Villella. He has stated that, in arriving at a period of seven meetings suspension, the Stewards took into account your very good record, with no suspension for careless riding since 7 October 2022. You estimate that you have had some 1,200 rides since then. I was also referred to a case involving Mr Jake Noonan. He had a very good record extending back over two and a half years. His suspension was for seven meetings. The period since your last suspension is approximately one year and five months.

I appreciate that you are very keen to ride at the last meeting of the Tasmania Carnival. You are from Tasmania and have gone back and forth many times, whilst maintaining your position of one of Victorian’s busiest and most successful jockeys. Riding at the last meeting of the Tasmania Carnival means a lot to you. A reduction in the penalty to six meetings would permit this. You have argued for it.

I also understand that the absence of a Monday meeting during the period of suspension imposed has the unfortunate effect of extending the period of suspension to the Friday.

I have taken into account that the interference, whilst at the low end, was quite noticeable. Mr Cartwright had to take hold of his horse and change course rapidly.

All in all, I appreciate your submission and have some sympathy for your missing the last day of the Tasmania Carnival, but the penalty seems to me to be a fair and reasonable one, in accordance with previous decisions, and reflecting the events that occurred.

Somewhat regrettably, I am of the view that the appeal must be dismissed.

Kathleen Scully

Assistant Registrar, Victorian Racing Tribunal