28 July 2023

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**JACK LAUGHER**

**Date of hearing:** 28 July 2023

**Panel:** Justice Shane Marshall (Deputy Chairperson) and Dr Andrew Gould.

**Appearances:** Mr Peter Chadwick appeared on behalf of the Stewards.

Mr Anthony O’Connor represented Mr Jack Laugher.

**Charge:** Australian Harness Racing Rule (“AHRR”) 163(1)(a)(iii) states:

1. A driver shall not
2. cause or contribute to any

(iii) interference

**Particulars:** Driver Jack Laugher was found guilty to a charge under AHR 163(1)(a)(iii) in that making the turn near the 400m he shifted out when insufficiently clear when attempting a run resulting in locking wheels and BACCARAT breaking gait resulting in AIMFORTHESTARZZZ being inconvenienced and racing roughly, BLUE OCEAN being inconvenienced and checked. LOTAKEVI, MADAME WEST and ARCHAA were also checked and force to race wider. Mr Laugher had his licence to drive in races suspended for a period of 10 days which was ordered to commence at midnight Saturday 29 January 2023.

**Plea:** Not Guilty

 **DECISION**

1. This is an appeal by Mr Jack Laugher, a licensed Harness Racing Victoria driver against a finding of guilty made by the Stewards of Harness Racing Victoria in respect of a charge made under Australian Harness Racing Rule 163(1)(a)(iii) in Race 12 at Melton on 20 April 2023.
2. Mr Laugher was found guilty of causing interference in a race by moving to the outside of a tiring front runner when insufficiently clear of a horse that was outside him and inconvenienced that horse slightly.
3. The Stewards also rely on that incident as the cause for interference to remaining runners. It appears to us that Mr Laugher contributed to that later interference but was not the exclusive cause of it. The tiring frontrunner contributed to what occurred thereafter albeit no fault of that horse’s driver.
4. Nonetheless, the charge concerned in part, the cause of interference to the outside, was not denied. The rest of what occurred may invite a submission on penalty no doubt and we will now hear submissions on the question of penalty.

**PENALTY**

1. Having heard the parties on the question of penalty and being informed by not bound by the penalty guidelines we consider that a 7 day suspension is appropriate. It reflects the low range interference but is not reduced further in the circumstances given that a not guilty plea was maintained. The 10 day suspension is reduced to 7 days on appeal and the appeal is allowed to that extent. The 7 day suspension shall commence immediately.

Mark Howard

Registrar, Victorian Racing Tribunal