11 March 2025

**DECISION**

**RACING VICTORIA**

**and**

**JACKIE BERIMAN**

**Date of hearing:** 20 February 2025

**Date of decision:** 20 February 2025

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

**Appearances:** Mr Sam Cochrane appeared on behalf of the Stewards.

Mr Matthew Hyland represented Ms Jackie Beriman.

**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:** Ms Jackie Beriman (Little Ritchie Turf) was found guilty of a charge of careless riding under the provisions of AR131(a), in that near the 1300m she permitted her mount to shift in when insufficiently clear of Kimono, which was carried in across the running of Master Polanski, which was checked to avoid that mares heels. Ms Jackie Beriman had her licence to ride in races suspended for a total of 9 race meetings, with the period to commence on 23 February 2025 and expire on 2 March 2025. Accordingly, Ms Jackie Beriman will be able to return to ride on 3 March 2025. In considering the matter Stewards deemed the incident to be in the low range and took into account her record.

**Plea:** Not Guilty

**DECISION**

Ms Jackie Beriman, you are appealing in relation to a finding of the Stewards that you breached Australian Rule of Racing (“AR”) 131(a) – that is, that you are guilty of careless riding. This charge concerns your ride on “Litte Richie Turf” in Race 9 at Bendigo on Saturday, 15 February 2025. The race was over 1600 metres.

The basis of the charge concerns an incident near the 1,300 metre mark. Other jockeys involved were Mr Tom Madden, who was riding “Kimono”, and Mr Stephen Brown, who was riding “Master Polanski”.

I have viewed the video several times and have had the benefit of submissions by Mr Sam Cochrane on behalf of the Stewards and by Mr Matthew Hyland, who appeared on your behalf. Both sets of submissions were well presented and directed my attention to the video material, which was shown a number of times, with various frames being frozen.

Essentially, the horses were finding their positions. Mr Brown was closest to the rails, with Mr Madden to his outside. You were to the outside of Mr Madden, and were crossing towards the rails. Ultimately, and after the incident in question, you crossed to the rails and to the lead.

The issue is whether, when crossing to get to the rails, in essence, you forced Mr Madden onto Mr Brown’s galloping space, causing him to take hold and move out from the rails. When interviewed by the Stewards, you admitted that Mr Madden called to you as you shifted in but also said “Like I never – I don’t think I came in contact with him or anything”. You were not denying some partial responsibility in that you were shifting in, but also alleged that Mr Madden was already shifting in before you shifted any ground.

The video does not show any clear contact of your horse with Mr Madden’s horse. Certainly, you got very close, but nothing in the nature of a clear bump can be seen. I can understand why you told the Stewards that you did not think that you came into contact with Mr Madden.

As Mr Hyland submitted, Mr Madden does not appear to have been contesting the lead. As Mr Madden said, he “stepped in that little bit”.

There is no doubt that Mr Brown was checked, although not in a major way. As he described it, he eased away from the heels of Mr Madden’s horse. He received pressure from his outside, called out to Mr Madden, and the pressure was relieved.

I would repeat that it is not clearly evident from the video that you came into contact with Mr Madden.

In all the circumstances, I cannot be comfortably satisfied that you were guilty of careless riding. A racing incident did occur, but I do not find that it was due to any carelessness on your behalf.

The appeal is upheld, and the charge is dismissed.

Mark Howard

Registrar, Victorian Racing Tribunal