21 March 2025

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**TAYLOR FORD**

**Date of hearing:** 13 March 2025

**Date of decision:** 13 March 2025

**Panel:** Judge John Bowman (Chairperson), Ms Maree Payne and Ms Danielle Hikri.

**Appearances:** Mr Adrian Crowther appeared on behalf of the Stewards.

Mr Bob Seamer represented Ms Taylor Ford.

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

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

**Particulars:** The particulars of the charge were that as the driver of BONA KHAN Ms Ford had persisted with an extended challenge for the lead around the first turn when there was no realistic prospect of crossing the leader, contributing to an exceptionally fast first quarter and then when racing on near level terms with the  leader CHASING REX she had activated removable earplugs near the 900 metres and had  failed to give her drive any respite, actions which in the opinion of Stewards were unacceptable and detrimental to her horses finishing position. Ms Ford pleaded not guilty to the charge however after giving due consideration to the evidence Ms Ford was found guilty as charged. In determining penalty Stewards took into consideration Ms Fords plea, her poor record under this rule, the high level of culpability in this instance and published HRV Minimum Penalty Guidelines. A six week suspension was imposed which began at midnight on 31 January.

**Plea:** Not Guilty

**DECISION**

Ms Taylor Ford, you are pleading Not Guilty to a breach of Australian Harness Racing Rule (“AHRR”) 149(2). This appeal arises out of your drive of “Bona Khan” in Race 1 at Geelong on 31 January 2025. The race was over 1,609 metres. Your horse was starting from gate number two. Immediately to your inside was “Chasing Rex”, driven by Mr Greg Sugars. In a race of this distance, the mobile start moves off in the back straight. Shortly after the horses commence the home turn, complete it, and enter the straight, racing to the finishing post and then for one full lap. We have had the benefit of the video material and have viewed it many times.

The essence of the Stewards’ case is that essentially from when the arms of the mobile folded, you challenged Mr Sugars, on your immediate inside, for the lead. He did not surrender it. You drove vigorously, including some repeated use of the whip. Whilst you may have drawn perhaps a long neck clear of him in the early stages of the straight, he continued to hold his position, whilst you drove vigorously. You continued battling for the lead into and around the turn out of the straight and into the back straight. There was further whip use and vigorous driving. Ultimately, your horse tired and dropped back through the field, this commencing before the home turn. You finished a distant second last, only a horse which galloped being behind you. Mr Sugars’ horse noticeably tired shortly after swinging for home and finished approximately 15 metres ahead of you. You were, in essence, tailed off.

Despite the matters put forward by Mr Bob Seamer on your behalf, we are comfortably satisfied that the charge has been proven.

To employ the meaning of the Rule, the manner in which you drove was unacceptable. You drove the horse almost relentlessly from the outset, recording virtually a track record time for the first 400 metres. You used the whip on and off over a considerable distance, until the horse tired before turning for home on the second occasion. It had been given no respite, this being reflected in the times recorded, particularly in the earlier stages of the race.

We are comfortably satisfied that your driving constituted driving in an unacceptable manner.

In short, we find the charge proven and the appeal on liability is dismissed.

We shall hear the parties on the question of penalty.

**PENALTY**

Ms Taylor Ford, we have found you guilty of a breach of Rule 149(2). We turn now to the question of penalty.

The penalty which was imposed by the Stewards at first instance was suspension for a period of six weeks. We were referred to some relevant previous cases.

You are an A grade licensed driver and have been driving for almost 10 years.

You do not have a good record in relation to this Rule and Rule 149(1). You have had five previous breaches of Rule 149(2) and four of Rule 149(1). Your most recent relevant penalty was on 20 August 2024.

Given those matters, your plea of Not Guilty and the nature of your offence, we are of the view that the period of six weeks suspension imposed by the Stewards is appropriate.

Accordingly, the appeal in relation to penalty is dismissed. The period of suspension shall commence at midnight on 13 March 2025.

Mark Howard

Registrar, Victorian Racing Tribunal