17 March 2025

**DECISION**

**RACING VICTORIA**

**and**

**JASON MASKIELL**

**Date of hearing:** 21 February 2025

**Date of decision:** 21 February 2025

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

**Appearances:** Mr Alex Streckbein, instructed by Mr Marwan El-Asmar, appeared on behalf of the Stewards.

Mr Damian Sheales appeared on behalf of Mr Jason Maskiell.

**Charges and particulars:**

**Charge 1 – AR 129 (1)**

AR 129(1) reads as follows:

**AR 129 Running and Handling**

1. Every rider must ride his or her mount on its merits.

**…**

**Particulars**

1. You are, and were, at all relevant times, a rider licensed by Racing Victoria.

1. On Friday 15 November 2024, you rode My Schieller Wood in Race 4, the Insuremyfleet Maiden Plate over 1600 metres at the Seymour racecourse (**the Race**).

1. During the Race, you failed to ride your mount on its merits, in that:

1. From approaching the 300m until approximately the 250m, you restrained My Schieller Wood and failed to improve your mounts position between Just Riff Raff and Vidocq, when there was an opportunity to do so; and/or

1. From approximately the 250m until approaching the 150m, you restrained My Schieller Wood and failed to improve your mounts position when there was an opportunity to do so; and/or

1. After Frontline Action shifted out in advance of your mount at approximately the 150m, you continued to restrain My Schieller Wood for the remainder of the race and failed to improve your mounts position when there was an opportunity to do so.

1. My Schieller Wood was placed 12th out of 13 starters and was ultimately beaten by 25.55 lengths.

1. Your actions, as set out in Particular 3(a) and/or 3(b) and/or 3(c), resulted in My Schieller Wood not being ridden on its merits.

**Charge 2 (alternative to Charge 1) – AR 129 (2)**

AR 129(2) which reads as follows:

**AR 129 Running and Handling**

**…**

1. A rider must take all reasonable and permissible measures throughout the race to ensure that the rider’s horse is given full opportunity to win or to obtain the best possible place in the field.

**…**

**Particulars**

1. You are, and were, at all relevant times, a rider licensed by Racing Victoria.

1. On Friday 15 November 2024, you rode My Schieller Wood in Race 4, the Insuremyfleet Maiden Plate over 1600 metres at the Seymour racecourse (**the Race**).

1. During the Race, you failed to take all reasonable and permissible measures to ensure that My Schieller Wood was given full opportunity to win or obtain the best possible place in the field, in that:

1. From approaching the 300m until approximately the 250m, you restrained

My Schieller Wood and failed to improve your mounts position between Just Riff Raff and Vidocq, when there was an opportunity, and it was reasonable and permissible to do so; and/or

1. From approximately the 250m until approaching the 150m, you restrained

My Schieller Wood and failed to improve your mounts position when there was an opportunity, and it was reasonable and permissible to do so; and/or

1. After Frontline Action shifted out in advance of your mount at  approximately the 150m, you continued to restrain My Schieller Wood for the remainder of the race and failed to improve your mounts position when there was an opportunity, and it was reasonable and permissible to do so.

1. My Schieller Wood placed 12th out of 13 starters and was ultimately beaten 25.55 lengths.

1. Your actions as set out in Particular 3(a) and/or 3(b) and/or 3(c), resulted in My Schieller Wood not being given the full opportunity to win or to obtain the best possible place in the field.

**Plea:** Guilty to Charge 2.

Charge 1 was withdrawn by the Stewards.

**DECISION**

Mr Jason Maskiell, you are pleading guilty to a breach of Australian Rule of Racing (“AR”) 129(2) – Charge 2. Charge 1 has been withdrawn by the Stewards.

This case involves your ride on “My Schieller Wood” in Race 4, a maiden event, at Seymour on 15 November 2024. The race was over 1,600 metres. Your horse finished 12th in a field of 13, beaten 25.55 lengths. It would have paid $10 for the win.

Essentially, the Stewards assert that, in contravention of the Rule, you did not take all reasonable permitted measures to ensure that your horse won or obtained the best possible result.

As stated, you are pleading guilty to this charge. Mr Gleeson and I have had the opportunity of watching the video of the race. We have also had the benefit of helpful submissions from Mr Sheales on your behalf and Mr Streckbein on behalf of the Stewards.

We would also state that the parties are in agreement as to the appropriate penalty to be imposed. Of course, we are not bound by that, but, when experienced representatives effectively put an agreed position before us, we certainly place considerable weight on that factor.

This is a charge of a serious nature, as the offence strikes at the integrity of racing and creates potential damage to the public perception of that integrity.

Each party outlined the case and, as stated, made similar submissions as to penalty. That penalty is suspension for three months, commencing immediately.

We are of the opinion that such agreed penalty is fair and reasonable. It reflects the potential damage to the industry and to its integrity. We accept that, as submitted by Mr Sheales, this was a particularly fast run race and you in essence let it get away from you. This penalty reflects all the elements and circumstances of the charge.

Accordingly, you are suspended for a period of three months, commencing immediately.

*Note: In addition to the above, the Tribunal was subsequently informed by the parties that it was intended by them that the suspension imposed on Mr Maskiell would not include suspension in relation to his riding trackwork, in trials or the like and that the suspension related solely to riding in races.*

Mark Howard

Registrar, Victorian Racing Tribunal