

## Appeal decision

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**Date:** 24 November 2014

**Code of racing:** Thoroughbred

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**Appeal panel:** Mr B Miller (chair), Mr P James and Mr G Casey.

**Appearances:** Mr M Tutt, solicitor, appeared on behalf of jockey Tegan Harrison.  
Mr D Aurisch, deputy chairman of stewards, appeared on behalf of the stewards.

**Decision being appealed:** Suspension of licence to ride in races for a period covered by seven meetings – AR137(a).

**Appeal result:** Appeal dismissed. Penalty varied.

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### **Extract of proceedings – in the matter of the QTIS 3-Year-Old Maiden Plate over 1200 metres at Ipswich on 15 October 2014. Jockey: Tegan Harrison**

THE CHAIRMAN: We have considered the matter and looked at all the issues that have been raised by Mr Tutt. The evidence that has been provided to this board is totally accurate with the information that has been taken from the transcript, and Mr Aurisch, you have addressed all of the issues adequately, and, in fairness to the appellant, you have certainly identified the concept of the relevant low range factor. That is only in respect of the penalty imposed.

Insofar as the question of whether or not interference has been caused by negligent or careless riding, the board's view is that there was not a run that was capable of being taken at the time. The horse in front - Beau Appo's mount - was racing intractably. We accept that was certainly a contributing factor. However, we are of the view that the way in which your horse over-reacted was not just because of a change of legs. It was also your attempts to, as it were, come around the outside legs of Appo's horse. We believe you were careless as the stewards have indicated. In respect of that issue we dismiss your appeal so far as conviction is concerned.

As said before we thought the stewards were quite fair in respect of their surmise concerning the low range, and we agree. Mr Tutt's comments that the interference was there but it wasn't overly significant have weighed upon us. We also agree with that.

We don't accept the premise that there is an eight standard meeting penalty or a seven standard. We look at what the stewards have to say, what you have to say and we address

it based on those facts and perceptions. We don't believe that a reprimand is in order. However, we do consider seven meetings is too high in all the circumstances and we reduce that to five meetings. That is the determination of the board on this matter.

Further right of appeal information: The appellant and the stewards may appeal to the Queensland Civil and Administrative Tribunal (QCAT) within **14 days of the date of this decision**. Information in relation to appeals to QCAT may be obtained by telephone on (07) 3247 3302 or via the Internet at [www.qcat.qld.gov.au](http://www.qcat.qld.gov.au)