



Race day judicial procedures - guidance for Thoroughbred Trainers

The purpose of this informal guidance is to provide trainers a basic expectation and understanding of race day judicial procedures. It is provided in three parts:

1. A general overview
 2. The various specific adjudicative processes carried out on race day
 3. Appeals
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1. General Overview

The Racing Integrity Board (RIB) ensures compliance with the Rules of Racing and associated policies or regulations. On race day, this responsibility will often lead to formal proceedings, specifically: Protests; Breach of the Rules; Requests for Rulings.

Proceedings on a race day are formally and professionally conducted. The typical parties to a proceeding are:

- Adjudicator is the judge/chairperson who is in charge of the hearings. They will set out how the hearing will be conducted, ask parties to speak in support or defence of the matter, listen to the evidence put forward from both parties and makes the final decision or ruling.
- Applicant. This is also known as the informant. Usually on race day, this is the Stipendiary Steward, though for a protest it may be a trainer or jockey. They identify any alleged breach of the rules/protest/request for ruling.
- Respondent. This is the person defending a charge. On race day it is usually a jockey or trainer. They will either defend themselves during the hearing or admit guilt if appropriate. An apprentice jockey may defend a charge with the assistance of his/her employer or the NZTR Riding Master or another person if nominated by the employer.

Both the applicant and the respondent will put forward their evidence to strengthen their case. They both answer to the Adjudicator.

For Requests for Rulings that relate to the conduct of the race and for Protests, the matter will be heard and determined very promptly, to provide final placings and enable payment of dividends which must be done prior to the running of the next race.

2. The adjudicative processes carried out on race day

Protest

A protest is typically lodged when interference during a race may have affected the final placings.

- A trainer or jockey or other connections (an owner or the racing manager) can only lodge a protest if the horse is in contention of running in a stake bearing position.
- The Stewards may also lodge a protest on behalf of an impeded horse that could have finished in a stake bearing position.

If concerned that interference in the race may have cost their horse a better placing, the trainer or jockey must contact a Steward before the official result is declared and request a viewing of the replay. The exact wording of the relevant Rule is:

903 (2) (b) An information which seeks or may result in any change to the Judge's placings specified in the Judge's Report on account of interference with the chances of another horse or horses placed by the Judge or any ground referred to in Rule 907(2) shall not be filed later than the time at which the last Rider weighs in unless the Official Result of Placings has not been declared and an extension of time in which to file an information is granted by a Stipendiary Steward.

After viewing the replay, a final decision can be made as to whether the trainer/jockey wishes to proceed with or withdraw the objection. If proceeding, the protest siren will be sounded, alerting everyone to the fact that a protest will be heard. The trainer and jockey of a horse that is involved in the protest should make their way promptly to the Steward's Room. The Steward's will in any case attempt to locate the relevant trainers and will summon them and the relevant jockeys to the Protest Hearing.

Once the hearing has begun the following procedures will take place:

1. Hearing is opened. The Adjudicator will outline the basis for the protest, and the relevant Rule (Rule 642 - below) and will dictate the order of who shall speak in turn.

642 (1) If a placed horse or its Rider causes interference within the meaning of this Rule 642 to another placed horse, and the Adjudicative Committee is of the opinion that the horse so interfered with would have finished ahead of the first mentioned horse had such interference not occurred, they may place the first mentioned horse immediately after the horse interfered with.

(2) For the purposes of Rules 637 and 642:

- (a) **placed horse** shall be a horse placed by the Judge in accordance with Rule 641(3); and
- (b) **interference** is defined as:
 - (i) a horse crossing another horse without being at least its own length and one other clear length in front of such other horse at the time of crossing;
 - (ii) a horse jostling with another horse, unless it is proved that such jostling was caused by the fault of some other horse or Rider or that the horse or Rider jostled with was partly at fault; or
 - (iii) a horse itself, or its Rider, in any way interfering with another horse or the Rider of another horse in a Race, unless it is proved that such interference was caused by the fault of some other horse or Rider or that the horse or Rider interfered with was partly at fault.

2. Each party (usually both the trainer and jockey for each horse) will be provided one opportunity to make their case, however the Adjudicator may also question any party. No cross examination of other parties is permitted.
3. Each party therefore has opportunity to give all relevant evidence and try to prove their case. In making their case, each party is entitled to ask for a replay of the race footage from relevant camera angles.
4. Adjudicator will ask parties to vacate the room, make a decision on final placings, then request parties to return to the room when the decision on final placings will be announced. The Adjudicator's decision regarding a protest may not be appealed.

Note: depending on the Steward's assessment of the circumstances and whether or not the Protest is upheld, a jockey may also be charged under Rule 638 (foul, reckless, improper, careless or incompetent riding).

Breach of the Rules

If there has been an alleged breach of the Rules of Racing, an information will be lodged by the Stewards and passed onto the Adjudicator who will decide when the hearing will take place. Usually this will be conducted during the race meeting.

Once the hearing has been decided upon, the following procedures will take place:

1. Information is lodged and affected parties will be notified immediately, and a time for the hearing will be advised.
2. Hearing is opened and the respondent will be given the chance to plead guilty or not guilty.
3. If respondent pleads not guilty, then he/she may give all relevant evidence and try to prove their case.
4. Adjudicator will decide whether or not the charge is proven and decide on a penalty. The penalties can range based on severity. Possible penalties may include warnings, fines, suspensions, disqualifications. For most proven race day breaches, the penalty will be determined with reference to the [RIB Penalty Guidelines](#).

Request for Ruling

A request for ruling can be lodged by the connections of the affected horse or the Stewards.

These occurrences are slightly more uncommon than a breach of the Rule of Racing, most likely in determining whether or not: the horse was denied a fair start; or started from an incorrect barrier; or gained an unfair advantage at the start.

All affected parties will give evidence and then the Adjudicators will make their decision based on the facts. The Adjudicator's decision regarding a request for ruling may not be appealed.

3. Appeals

An appeal may only be lodged when a party is not in agreement with a decision or a penalty in relation to a breach of the Rules of Racing that was determined by the Adjudicator(s). To do this, the affected party will have to fill out a Notice of Appeal.

Appeals against race day decisions must be lodged before 4pm on the third working day after the date on which the decision was given. If not filed by that time, an appeal will not be considered.

The RIB will set a date for the Appeal hearing. This will allow time for parties to get representation if needed.