

Handicapping Review Board (“HRB”) Decisions

1. On 3 June 2023, the horse Sea Air ran in and was declared the winner of race 6 of Race Meeting 12 run at the Champ de Mars Racecourse. On 5 June 2023, for this win, the Handicapper increased the rating of this horse from 44 to 48. Following this rating adjustment, on 27 June 2023, the HRD received a notice for a handicapping review from Trainer V Ruhee.
2. On 3 July 2023, at the offices of the HRD, the HRB heard an application for a review of the rating lodged by Trainer V Ruhee in respect of the horse Sea Air.
3. Prior to reviewing the evidence in the matter, the HRB heard a preliminary application from Trainer Ruhee requesting condonation regarding the time frame for the lodging of the review which was beyond the 48 hours allowed. In this regard, the HRB, as a once off, granted the condonation requested as, it determined that these were exceptional circumstances as, when the dispute arose in respect of the rating of Sea Air, the HRB did not exist however, Trainer Ruhee had raised his concerns immediately after the new rating for Sea Air was published and subsequently, upon notification of the formation of the HRB, Trainer Ruhee lodged his review request within 48 hours of such notice.
4. After considering the submissions of Trainer Ruhee and the Handicapper, the HRB ordered that the rating of Sea Air be adjusted down from 48 to 47.
5. In arriving at the above decision, the HRB considered the following:

With regard to matters such as these, the Handicapper is limited to assess the race based on the final result of the race. Therefore, despite it being found that third across the line Swagger Jagger would have finished ahead of Donnan which crossed the line first, the result reads that Sea Air is the official winner of the race. Therefore, in line with

the international norms for such occurrences, Sea Air attracts the win penalty for that race;

5.1 As is common cause, the minimum penalty for winning a race is 3 points;

5.2 The main question in this matter was therefore, whether it was appropriate for Sea Air to be allocated 4 points rather than just the mandatory 3. In this regard, it was established through the proceedings that, notwithstanding the circumstances of the objection, it appeared from the footage that both Swagger Jagger which raced at 1kg overweight and Sea Air, would have finished in close proximity to one each other irrespective of the interference with the final finishing distance between the horses being 0.35 lengths in favour of Sea Air. It was however, highly probable that but for the aforementioned interference, Swagger Jagger could have finished ahead of Sea Air. With this in mind and when considering the net effect of the weight adjustment and the norm with regard to rating races where objections amend the provisional judge's result, the HRB was of the unanimous view that it was preferable to rate the race with the minimum penalties on the performances displayed. Accordingly, the decision was taken to adjust the rating of Sea Air from 48 to 47.

6. In light of the above change, it was ordered that Trainer Ruhee's deposit be refunded in full.

10 July 2023