



**INTERNAL REVIEW DECISION
(Internal Review Decision Notice in response to an Application for Internal Review)**

PART 1: Details of Internal Review

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| Internal Review Number: | Internal Review 0008-19 |
| Applicant's Name: | Jordan Grob |

PART 2: Decision History

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| Original Decision: | Refusal of Application to Extend Jockey Apprenticeship for eight (8) months |
| Original Decision Makers: | Nicole Elliott, Acting Manager, QRIC Licensing and Registration Department |
| Date of Original Decision: | 2 January 2019 |
| Internal Review Decision: | Original decision confirmed - Apprenticeship extended for twelve (12) weeks |
| Internal Review Adjudicator: | Mr Kane Ashby, Internal Adjudicator, Queensland Racing Integrity Commission |
| Date of Internal Review Decision: | 26 February 2019 |

PART 3: Summary of Internal Review Application

The Applicant, Mr Jordan Grob, submitted an Application to Extend Jockey Apprenticeship to the Licensing Department of the Queensland Racing Integrity Commission requesting an additional eight (8) months on his apprenticeship due to a severe fall on 15 September 2018 and to allow time to rebuild connections once he was able to resume riding.

The Licensing Department of the Queensland Racing Integrity Commission approved an extension to the Applicant's apprenticeship of twelve (12) weeks, with eight (8) weeks to cover lost time due to injury and the remaining four (4) weeks to cover fitness and exposure. The basis of the granting of the twelve (12) week extension was:

1. that the Applicant had served the full four (4) years of his apprenticeship plus an extra month in March 2014 and had been granted an additional five (5) month extension being a total of four (4) years and six (6) months;
2. the Applicant had no injury or loss of time until his injury on 15 September 2018; and
3. the Applicant had eight (8) weeks left of his indentures at the time of injury, therefore the Applicant had served four (4) years and four-and-a-half (4.5) months in total.

The Applicant sought a review of the decision and provided the following submissions in support of his Application:

My reasons for seeking an Internal Review of the decision by QRIC not to approve my application for an extension of my apprenticeship for an additional 12 weeks through to 30 June 2019 are listed below:



I received correspondence from QRIC dated 2 January 2019 concerning my Apprentice Jockey Licence - Provincial where I was advised of an extension of 12 weeks to my apprentice indentures so that the expiry date became 31 March 2019.

I then emailed QRIC requesting it support a further extension of my apprenticeship beyond 31 March through to 30 June 2019, but this was rejected.

I am well aware there may be policies that are used as guidelines in the consideration of applications for an extension, but I would submit to you that my history and current circumstances could be considered as "exceptional" and that my request is therefore worthy of favorable consideration by QRIC, outside of the usual policies. In my case, I do not believe it would be setting a precedent that couldn't be easily explained.

Can I ask that the Internal Reviewer consider my history as an Apprentice Jockey:

I was granted my apprenticeship in Queensland in 2013 and had my first ride in February of 2013. After riding 7 winners in my first twelve months, for personal reasons that were extremely important to me, after riding through to March of 2014, I made the decision to relocate to Victoria in April of 2014.

Just at the time I went to Victoria, Racing Victoria had introduced a policy whereby any apprentice who had race ridden in a jurisdiction outside Victoria must of ridden 20 Metro winners in order for them to be allowed to go on loan or transfer to a Victorian trainer. The only option open to me was to wait and apply for the 2015 intake.

Therefore, I had to work as a track-rider/stable-hand for the best part of 12 months. I applied for the 2015 Racing Victoria Apprentice Jockey intake. I was included in that 2015 intake, but for all intents was starting completely from scratch again in a new state after 12 months off. I had my first Victorian race ride at the end of April 2015.

In Victoria, I was apprenticed to Heath Conners at Geelong. Heath was a good employer, but with limited support and opportunities, it is fair to say I experienced great difficulty getting going again with my race riding. I think having the full year off from race riding and then having to try and get going again in a new state with a small stable was basically the same as coming back after a longterm injury. Prior to commencing race riding in Victoria, I had to do trials for the best part of 4 months in Jan, Feb, March and through to 25 April. It was like starting my race riding career all over again.

Then, in 2017 I went on loan from Heath Conners (where I had quite limited opportunities) to leading trainer Mick Price at Caulfield and I certainly ended up having more rides and better success. I transferred from Heath to Mick but was then approached by Michael Moroney to go on loan to him, on the basis I would be based at his NZ stable. I accepted this offer and I had my last ride in Victoria on 31st January 2018. I rode in New Zealand for Michael Moroney from 1 February through to early April but only had around 40 rides during that time in New Zealand.

I returned to Victoria and rode from April 2018 through to early July 2018 before returning home to Queensland where I rode from 15 July to the date of my fall on 15 September 2018 where I fractured my neck. I resumed race riding just last Wednesday 16 January after 4 months off. Once again, I will be starting my career from scratch, regaining race fitness, re-establishing contacts and the like.



My "stop/start" apprenticeship has seen me have an unusually small number of rides (just over 800 in Australia and 40 odd in New Zealand). A positive is that I have a 20% strike rate for finishing "top three" and I have ridden close to 50 winners to date. My riding weight is 52kg and I consider myself to have the ability to long-term be a "career jockey" based in Queensland.

In summary, my first 12 months was okay... I lost a year due to the policy change in Victoria and basically started from scratch there. When I did start in Victoria my employer was limited for horses and opportunities. I transferred to a large city stable and did well. An opportunity presented to ride for a leading stable in New Zealand, but nothing much came of it. I returned to Melbourne and rode for six weeks while a return to home in Queensland was being arranged. Then I resumed in Queensland and rode for exactly two months before the fall at the Gold Coast where I fractured my neck. I had exactly four months off and again I am basically starting from scratch again now.

Can I also add I am proud that I have an impeccable disciplinary record and believe I represent our industry well.

So, in order that I can have one final crack as an apprentice before joining the senior ranks, and when taking into account all the unusual circumstances surrounding my apprenticeship, can I request that my circumstances be considered as "extraordinary" in the context of what would be considered a "normal" apprenticeship and for that reason an extension of my indentures through to 30 June be supported at the Internal Reviewer.

My application has the support of my employer Mr Costa as well as the endorsement of Glen Prentice of the QJA and Des O'Keeffe, Chairman of the Australian Jockeys Association (who I have worked closely with during my apprenticeship).

Finally, there is no rule as I understand it that QRIC are relying upon when refusing my application for an extension through to 30 June. I understand it is a "policy". My position is that as a policy, QRIC are in no way bound by it and if there are circumstances that support exempting someone from the application of the policy, then it is open for the policy to be waived and the application for an extension granted at Internal Review level.

The outcome sought by the Applicant is that his apprenticeship be extended as per his Application.

PART 4: Reasons for Internal Review Decision

On 17 December 2018, the Applicant submitted an application for an extension of the Applicant's apprentice jockey indentures to the Queensland Racing Integrity Commission (QRIC). The Applicant's application included a supporting letter outlining his request and reasons for an additional eight (8) months of his apprenticeship due to a severe fall suffered on 15 September 2018 and to allow time to rebuild connections once he was able to resume riding.

Mr Shane Scriven, Senior Apprentice Coach of the Education Department at Racing Queensland, advised the Queensland Racing Integrity Commission that his recommendation was to support the Applicant's request for an extension of eight (8) months based on required rehabilitation and building fitness prior to race riding.

The Queensland Racing Integrity Commission's 'Statement of Reasons' in part noted there was no consideration given to the length of time already served by the Applicant in such apprenticeship and no record of indenture dates on such recommendation.



The 'Statement of Reasons' stated the Applicant "*had ridden consistently for the full 4 year apprenticeship period but a 5 month indenture extension had been granted by Racing Victoria, taking his apprenticeship to 13 November 2018.*" The 'Findings of Fact' outlined within the aforementioned 'Statement of Reasons' stated:

- b) *Mr Grob had served the full 4 years of his apprenticeship, plus had an extra month in March 2014 and had been granted an additional 5 months extension. A total of 4 years and 6 months.*
- c) *Mr Grob had no injury or loss of time until his injury on 15 September 2018.*
- d) *Mr Grob had 8 weeks left of his indentures at the time of injury so had served 4 years 4.5 months in total.*

Subsequently, the Queensland Racing Integrity Commission determined the Applicant be granted an extension of his apprenticeship indentures for twelve (12) weeks (four (4) weeks for fitness and exposure and eight (8) weeks to cover lost time due to injury). Totalling an apprenticeship indenture period of 4 years 7.5 months.

The Applicant's complete internal review submissions are outlined in Part 3 of this Decision.

The reviewer acknowledges a term of apprenticeship is a period of four (4) years. The Applicant commenced his apprenticeship at the start of 2013 and, until the current time, was either on loan or transferred to no less than four (4) employers during such period. The reviewer accepts the Applicant was sidelined for a period of approximately four (4) months due to a fall suffered on 15 September 2018, at which time the Applicant had previously served in excess of the four (4) year term for such apprenticeship.

Part 21 of the Queensland Racing Integrity Commission's Standard for Licensing Scheme - Thoroughbreds states:

"Applications for extensions of apprenticeships may be granted under certain circumstances including time lost for injury or illness, time lost for other reasons deemed acceptable, lack of opportunity particularly if located in a remote or regional area." The Licensing Standard provides for a system for assessing applicants seeking to participate in the Queensland racing industry and a system for ensuring the ongoing suitability of participants to remain licensed.

The reviewer acknowledges each case is treated on its merits and set of circumstances. The reviewer, in considering the fact that the Applicant previously served in excess of the standard four (4) year term for such apprenticeship prior to suffering the aforementioned injury and acknowledging the prior apprenticeship extensions provided by Racing Victoria and the Queensland Racing Integrity Commission, is not satisfied a further extension of apprenticeship is proven or that such circumstances were 'exceptional' as submitted by the Applicant and accordingly confirms the original decision.

PART 5: Review Rights following Internal Review Decision

In accordance with section 246 of the *Racing Integrity Act 2016*, as the applicant for an internal review of the original decision, you are able to apply to the Queensland Civil and Administrative Tribunal (QCAT) for an external review of the internal review decision.

An external review is commenced by lodging the appropriate forms with QCAT. In accordance with section 33 of the *Queensland Civil and Administrative Tribunal Act 2009*, an application for an external review of an internal review decision is to be made within 28 days from the day this internal review decision notice is provided to the applicant.



For further information regarding the processes for an external review of the decision, please contact QCAT:

Queensland Civil and Administrative Tribunal

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