



APPEAL DECISION

JACOB (JAKE) NOONAN and RACING VICTORIA STEWARDS

Date of Hearing: 29 May 2018

Heard By: Judge Bowman (Chair)

Appearances: Darren Triandafillou appeared on behalf of the Stewards
Matthew Hyland of the VJA appeared on behalf of Jake Noonan

At Moe on 24 May, rider Jake Noonan was found guilty of a charge of careless riding on his mount *Mutual Respect* in Race 2 the LV Express Maiden Plate (1000m).

The particulars of the charge being that *“he permitted his mount to shift in approaching the 100m when not sufficiently clear of Totally Kaptivated, thereby tightening that filly in onto Kiss The Boss, which initially shifted out slightly, resulting in Totally Kaptivated having to be checked to avoid the heels of Mutual Respect and Kiss The Boss being hampered and carried in, inconveniencing Can Star.”*

Jake Noonan had his licence to ride in races suspended for a period to commence at midnight 30 May and to expire at midnight 9 June – a total of 10 race meetings (2 metro and 8 provincial meetings).

In assessing penalty Stewards took into account his guilty plea and record, the initial shift from *Kiss The Boss* and that the carelessness was in the mid-range.

A Notice of Appeal against the severity of the penalty imposed was lodged on 26 May 2018. A stay of proceedings was not requested.

DECISION: Appeal dismissed
Penalty to remain standing

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

HIS HONOUR JUDGE J. BOWMAN, Chairman

EXTRACT OF PROCEEDINGS

DECISION

JAKE NOONAN

and

RACING VICTORIA STEWARDS

RACING VICTORIA CENTRE, FLEMINGTON

TUESDAY, 29 MAY 2018

MR D. TRIANDAFILLOU appeared on behalf of the RVL Stewards

MR M. HYLAND of the VJA appeared on behalf of Mr J. Noonan

CHAIRMAN: Mr Jake Noonan, you have been charged with careless riding in that in race 2 over 1000 metres at Moe on 24 May last, approaching the 100-metre mark, you permitted your mount, Mutual Respect, to shift in when not sufficiently clear of Totally Kaptivated, ridden by Damien Oliver. That filly was tightened onto Kiss The Boss, ridden by Jye McNeil, which had initially shifted out slightly in the opinion of the Stewards. Totally Kaptivated had to be checked to avoid your horse's heels, Kiss The Boss was hampered, and Can Star, ridden by Clayton Douglas, inconvenienced.

You pleaded guilty to the charge of careless riding from the outset.

The Stewards suspended you for 10 meetings, taking into account your plea of guilty, your record, that there had been slight contribution by a shift from the inside and the fact that they placed the level of interference in the mid-range. You have appealed against the size of the penalty only.

I have viewed the video coverage of the incident which was tendered and in fact looked at it several times whilst considering this decision. I have probably now seen the head-on video about half a dozen times. The interference to Damien Oliver's mount was clearly the most severe. Jye McNeil would have had to straighten his mount away from Oliver's mount in any event and was probably in the process of so doing. The interference to Clayton Douglas was not great. In other words, I do not regard the interference to Kiss The Boss and Can Star of being of great significance.

The interference to Damien Oliver's mount, Totally Kaptivated, is a different matter. It was very noticeable and I agree with Mr Triandafillou that it was potentially dangerous. The interference occurred as you were going for the whip, which you then used. Your horse was a first starter and may have been a bit green. In any event, it shifted in quite noticeably and clearly took Damien Oliver's running. You continued to use the whip and your horse won clearly. Oliver's horse was noticeably interfered with and ran third. I doubt that it could have challenged you strongly in any event as it was under pressure and ultimately beaten by three lengths.

The only real issue is the contribution of Jye McNeil's mount. Certainly it was running about a bit in the straight. It moved out towards Oliver's mount. It was straightened away from that horse, leaving a clear run between it and you, which run Oliver was fully entitled to take. It, being Jye McNeil's mount, then moved out again, contacting Oliver's horse. In the meantime, you crossed quite significantly from outside Oliver and, in my opinion, were by far the major contributor to the interference to Totally Kaptivated.

In my view, the interference was significant and potentially dangerous. Like the Stewards, I have taken into account your guilty plea. Your record is of three previous suspensions for careless riding this racing year which, for a busy and very capable jockey such as yourself is, as Mr Triandafillou put it, a neutral record, not brilliant but not too bad.

However, overall I am of the view that the Stewards arrived at the correct penalty. 10 meetings seems to me to be a proper and appropriate penalty for this level of interference and carelessness and the appeal is dismissed.
