



**Racing
Victoria**

**RACING APPEALS
AND
DISCIPLINARY BOARD**

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DECISION

**RACING VICTORIA STEWARDS
and
JOHN ROBERTSON**

Date of Hearing: 28 March 2019

Panel: Judge John Bowman (Chair)

Appearances: Mr Daniel Bolkunowicz appeared on behalf of the Stewards.
Mr Matthew Hyland appeared on behalf of Mr John Robertson.

Charge: Breach of AR 115(1)(c)
(1) A jockey or apprentice jockey must not:

(c) bet, or have any interest in a bet, or facilitate a bet, on any race.

Particulars: RV Stewards allege that Mr Robertson made, and/or facilitated and/or had an interest in the making of, 27 bets on thoroughbred horse races between 28 October 2016 and 18 April 2018, with the bets placed totalling \$1,320.00.

None of the 27 bets placed were on races Mr Robertson rode in.

Plea: Guilty.

Decision: The Board finds the charge proved.

Mr Robertson is convicted and suspended for 3 months. Save for a period of six weeks, the penalty is suspended on the condition that, during the period of the 3 month suspension, he initiate and undertake counselling for his gambling problems.

Suspension to commence 28 March 2019.

Grace Gugliandolo
Registrar - Racing Appeals and Disciplinary Board

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

HIS HONOUR JUDGE J. BOWMAN, Chairman

EXTRACT OF PROCEEDINGS

DECISION

RACING VICTORIA STEWARDS

- and -

JOHN ROBERTSON

RACING VICTORIA CENTRE, FLEMINGTON

THURSDAY, 28 MARCH 2019

MR D. BOLKUNOWICZ appeared on behalf of the RVL Stewards

MR M. HYLAND appeared on behalf of Mr J. Robertson

CHAIRMAN: Mr John Robertson, you have pleaded guilty to a breach of AR 115(1)(c). In summary, you had a total of 27 bets on thoroughbred horse races in October 2016 and in March-April 2018. The amounts involved are not huge.

Yours is a sad situation but one which you are taking steps to remedy. You were completely frank with the Stewards. You have had problems with both an alcohol and gambling addiction. It is very much to your credit that you have sought and obtained psychological assistance. You closed your betting accounts last year and you have not been betting on anything since.

You have had a couple of significant falls over your career and you are currently sidelined due to a nasty injury to your neck at the C4 level sustained in a fall in January this year. It will be June at the earliest before you are fit to ride again. In the past, you have also had to deal with an interruption to your apprenticeship and to your career at a time when very sadly your father was dying of cancer.

The Stewards have not asked for the commencement of the period of suspension which I impose to be postponed but are agreeable to it commencing immediately. That, if I may say so, is a very sensible suggestion, as is the period in the terms suggested by Mr Bolkunowicz on behalf of the Stewards.

Because of your particular circumstances, the impact upon your riding will probably be nowhere near as great as it would be upon a busy jockey currently riding. However, that is the way that matters have worked out. A significant penalty must be imposed. Jockeys must realise that they are not permitted to bet on thoroughbred races no matter where the meeting may be. It is not suggested that any of your bets related to races in which you were riding, rather it was partly the gambling addiction for which you have received some treatment.

A significant penalty must be imposed and the public should be aware of the fact that such a penalty is imposed. For example, a six-week suspension for a busy jockey could well mean a loss of riding opportunities for over 40 meetings. The end result is that you are convicted of the charge. The penalty suggested by the Stewards with which I agree is that you are suspended for a period of three months. However, save for a period of six weeks, the penalty is suspended on the condition that you satisfactorily initiate and undertake counselling for your gambling problems during that period of suspension. In other words, you are suspended for three months, all of which is in turn suspended except for a period of six weeks on the condition that you initiate and undertake counselling.
