

DECISION

**RACING VICTORIA STEWARDS
and
BRANDON STOCKDALE**

Date of Hearing 6 February 2018

Panel Judge Bowman (Chair)

Appearances Rob Montgomery appeared on behalf of the stewards.
Matthew Hyland of the VJA appeared on behalf of Mr Stockdale.

Charge 1 AR 160B(3)

No person shall, without the permission of the Stewards: (3) within the area of the jockeys room bring into, have in his possession, or use any portable telephone, radio transmitter, radio transceiver or any other appliance, apparatus, instrument or equipment capable of receiving or transmitting information.

The particulars are that Mr Stockdale had in his possession, and used on two separate occasions, a mobile phone after his arrival in the jockey's room at Caulfield on 17 January 2018.

Charge 2 AR 175(g)

The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise: (g) Any person who gives at any interview, investigation, inquiry, hearing and/or appeal any evidence which is false or misleading in any particular.

The particulars are that Mr Stockdale made statements during the course of the stewards' inquiry into the possession and use of his mobile phone in the jockey's room that were later found to be false and misleading.

Plea Charge 1 and 2 – guilty.

Decision Charge 1 – Mr Stockdale convicted and fined \$300.
Charge 2 – Mr Stockdale convicted and suspended for a period of 14 days, commencing immediately.

TRANSCRIPT OF PROCEEDINGS

RACING APPEALS AND DISCIPLINARY BOARD

HIS HONOUR JUDGE J. BOWMAN, Chairman

EXTRACT OF PROCEEDINGS

DECISION

RACING VICTORIA STEWARDS

and

BRANDON STOCKDALE

RACING VICTORIA CENTRE, FLEMINGTON

TUESDAY, 6 FEBRUARY 2018

MR R. MONTGOMERY appeared on behalf of the RVL Stewards

MR M. HYLAND appeared on behalf of Mr B. Stockdale

CHAIRMAN: Mr Brandon Stockdale, you have pleaded guilty to a charge that at a race meeting at Caulfield racecourse on 17 January 2018, as an apprentice jockey, you brought into the area of the jockeys' room a mobile telephone. This was a breach of AR 160B(3). You have also pleaded guilty to a breach of AR 175(g) which is the serious offence of giving to the Stewards false or misleading evidence concerning the possession of the mobile phone and the use of it. It is not suggested that the use of the phone was in any way connected with tipping, wagering or the like. The second charge is obviously more serious and is so classified.

I accept that you had problems as an apprentice during the four years of your apprenticeship. You had a nasty fall in 2016 following which you were concussed. You took a while to recover and your weight increased a considerable extent. You have also had some personal difficulties and your weight problems have continued, in the sense that your weight goes up readily.

At present you are not riding, having stood yourself down as at 27 January. A report has been placed before me from Ms Lisa Stevens, psychologist. I will not go into the details of it. However, it does assist in my understanding of the problems you have may been suffering and the battles you have had.

On the mobile phone charge, you are fined the sum of \$300. On the more serious charge relating to false evidence, I appreciate that you have stood yourself down since 27 January. However, it is a serious matter and a period of suspension should be imposed.

Trainers and jockeys must know that the giving of false evidence to the Stewards will not be tolerated. The Stewards are entitled to have an accurate and honest account when important matters are given to them and their work is made considerably more difficult if it is not.

I have looked at the penalties imposed in similar cases and these often involve very large fines or, more often, appropriate periods of suspension. Taking a line through them, it seems to me that a period of suspension of 14 days from this day is warranted. I do not intend to order that you attend the appointments suggested by Ms Stevens but I would strongly advise that you follow her advice and make the appointments she has recommended.
