



**Racing
Victoria**

**RACING APPEALS
AND
DISCIPLINARY BOARD**

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DECISION

**RACING VICTORIA STEWARDS
and
CHRIS CASERTA**

Date of Hearing: 13 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 Chris Caserta.

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: In contravention of AR 115(1)(c), between 11 March 2018 and 9 December 2018, Mr Caserta placed and/or facilitated and/or had an interest in six bets on thoroughbred horse racing, with a total outlay of \$49.00.

None of the bets placed were on races Mr Caserta was involved in.

Plea: Guilty.

Decision: The Board finds the charge proved.

Mr Caserta convicted and suspended for 4 weeks commencing today, 13 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 -

CHRIS CASERTA

RACING VICTORIA CENTRE, FLEMINGTON

WEDNESDAY, 13 MARCH 2019

MR D. BOLKUNOWICZ appeared on behalf of the RVL Stewards

MR M. HYLAND appeared on behalf of Mr C. Caserta

CHAIRMAN: Mr Chris Caserta, you have pleaded guilty to six breaches of AR 115(1)(c), in that you placed six bets on thoroughbred horse racing, utilising your TAB account for the total outlay of \$49. Three of the bets were on Hong Kong races, one was on Bunbury in Western Australia, one at Clare Valley in South Australian and one at Sale.

As is evident, they were bets totalling a modest amount, but bets nevertheless. They were placed over a nine-month period between March and December 2018, with the three Hong Kong bets occurring within four days at the end of that period. I accept that at that time you were living in South Australia. You were effectively on loan as an apprentice to Mr Tony McEvoy, a situation which has continued. However, when the Hong Kong bets were placed, you were effectively on your own, away from your family and friends and somewhat bored after your racing duties for the day were over. That is no excuse but it is partly an explanation. I also accept that you have told Mr McEvoy of these unfortunate bets and he is fully supportive of you and will assist you in relation to ensuring that nothing of this nature will occur again.

I also accept that you pleaded guilty at an apparently early stage and that you are very remorseful. I was impressed by the way that you spoke in this regard. However, the bottom line is that jockeys, senior and apprentices, must not bet on horse-racing events. It is something that has the potential to give a very bad image of racing.

I have heard Mr Bolkunowicz on behalf of the Stewards that yours is probably not a case that calls for specific deterrence. As stated, I accept that you are truly remorseful. However, general deterrence is an important factor. The rules in relation to jockeys not betting are very important rules and those who breach them must appreciate that they are facing big trouble by so doing.

Parity, without being too technical, fairness, equality and consistency in sentencing is an important consideration in all aspects of the law.

Mr Bolkunowicz has referred me to the decisions concerning Liam Riordan, and I remember them well. The earlier of those is particularly relevant. I have been urged by the Stewards to apply a similar penalty. True it is that Mr Riordan only placed one bet on one occasion as opposed to your six small bets over a period of time. However, I am of the view that the penalty imposed on Mr Riordan should be the penalty that is imposed on you.

You are convicted and suspended for four weeks. I see no need to apply special conditions. You have already been a very successful apprentice and once this is behind you, I wish you every success and hopefully a career free from serious breaches of the rules.
