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## **APPEAL DECISION**

### **TAYLOR MARSHALL *and* RACING VICTORIA STEWARDS**

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**Date of Hearing:** 4 December 2017

**Heard By:** Judge Bowman (Chair)

**Appearances:** Geoff Hausfeld appeared on behalf of the stewards.  
Matthew Hyland of the VJA appeared on behalf of Mr Marshall.

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At an adjourned stewards' inquiry on 29 November 2017, jockey Taylor Marshall was found guilty of a charge of careless riding on his mount *Subutai* in Race 3 the *bet365 Maiden Plate* (1953m) at Yarra Valley on Saturday, 28 October 2017.

The careless riding being that approaching the 400-metre mark, he permitted his mount to shift ground outwards when insufficiently clear of *Red Crown*, ridden by Arron Lynch, resulting in that horse being tightened for room out onto *Castagne*, ridden by Sam Payne. As a result of this tightening, *Red Crown* appeared to clip heels and knuckle badly, resulting in Arron Lynch being dislodged from his mount.

Mr Marshall his licence to ride in races suspended for a period to commence at midnight on Saturday, 2 December 2017 and to expire at midnight on Monday, 25 December 2017 – a total of 26 race meetings.

In assessing penalty stewards took into account Mr Marshall's good record and the fact that the carelessness resulted in a fall to Arron Lynch.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Thursday, 30 November 2017. A stay of proceedings was granted effective to midnight Sunday, 3 December 2017.

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**DECISION:** Appeal against decision dismissed.  
Appeal against severity of penalty allowed.

Taking into account the stay of proceedings, the penalty is varied so that the period of suspension expires after the day meeting on Friday, 22 December 2017 (22 race meetings).