



APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 17 August 2012

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: JAMIE MOTT**

Panel Judge Russell Lewis (Chair), Mr Bill Kneebone, Mr Ron Taylor.

Appearances Mr Des O’Keeffe appeared on behalf of Mr Mott.
Mr James Hitchcock appeared on behalf of the Stewards.

At Swan Hill on Monday, 13 August 2012 jockey Jamie Mott was found guilty of a charge of careless riding on his mount *Hausratte* in Race 5 the *Beat The Pyap Maiden Plate* (1600m).

The careless riding being that at approximately the 100m, Jamie Mott carelessly permitted his mount to shift in when not sufficiently clear of *Legal Rock* resulting in Dean Yendall having to be check *Legal Rock*. In issuing the charge Stewards accepted *Hausratte* was hanging in, however were of the opinion Jamie Mott could have and should have made a greater effort to stop riding and straighten his mount in order to avoid the interference.

Jamie Mott had his licence to ride in races suspended for a period to commence at midnight on Monday, 13 August 2012 and to expire at midnight on Thursday, 23 August 2012 - a total of 10 race meetings (3 metro, 7 country). In assessing penalty Stewards took into account Jamie Mott’s record, the racing manners of *Hausratte* and deemed the incident to be in the mid range.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Wednesday, 15 August 2012.

A stay of proceedings was not requested.

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

Penalty varied so that the period of suspension expires at midnight on Friday, 17 August 2012 (4 race meetings).

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR W. KNEEBONE
MR R. TAYLOR**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE BEAT THE PYAP MAIDEN PLATE
OVER 1600 METRES AT SWAN HILL ON 13/8/12**

JOCKEY: JAMIE MOTT

MELBOURNE

FRIDAY, 17 JULY 2012

MR J. HITCHCOCK appeared on behalf of the RVL Stewards

MR D. O'KEEFFE appeared on behalf of the Appellant

CHAIRMAN: This is a case where the circumstances which confronted Jamie Mott bear heavily upon the question of whether he was careless. The Board is satisfied that the horse having its first start in blinkers was extremely wayward and proved a handful for even an experienced rider such as the Appellant.

The Board is satisfied that the Appellant is very conscious of the fact that the horse was hanging in badly but notwithstanding its behaviour, was always going to win the race. The Board is also satisfied that the Appellant well knew that unless he took steps to straighten the horse, he could or would cause interference to other runners.

The Board is satisfied that the Appellant did take remedial action by first riding hands and heels and putting extreme pressure on the offside rein. In the Board's view, the horse did respond for a couple of strides before resuming its inward course. The Board is satisfied that the use of the whip in the left hand failed to straighten the horse.

That being the case, and as the horse maintained its inward course towards Yendall's mount, the Appellant's only option was to put the whip away and use both hands on the reins. This he failed to do and the interference occurred. Immediately after the interference occurred, the Appellant used both hands on the reins and the horse responded.

The standard of care placed upon a rider is not a standard of perfection. Mr O'Keeffe in essence has submitted that the Stewards, in finding the Appellant guilty, did impose a standard of perfection and argued their case retrospectively. The Stewards submit that once the horse had shown that it responded earlier in the straight to pressure with both hands on the reins, an experienced rider such as the Appellant should have reasonably employed the same tactic close to the finish.

The Board accepts the Stewards' argument and finds that the Appellant was careless, but is of the opinion that in all the circumstances, the degree of carelessness was in the lower register of the low range. The Board is of the opinion that a penalty greater than a severe reprimand is warranted. However, the penalty is varied, so that the suspension expires at midnight this day.
