



APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 26 November 2012

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: JARROD TODD**

Panel Judge Russell Lewis (Chair), Mr Geoff Ellis, Mr Bill Kneebone.

Appearances Mr Peter Jurkovsky appeared on behalf of Mr Todd.
Mr Peter Ryan appeared on behalf of the Stewards.

At Wangaratta on Monday 19 November 2012, jockey Jarrod Todd pleaded guilty to a charge of misconduct under the provisions of AR 83(a). The misconduct being that after dismounting *Jenzan*, which was unruly on route to the barriers prior to the running of Race 7, he then struck the mare on the head with his whip.

Mr Todd had his licence to ride in races suspended for a period to commence at midnight on Wednesday, 21 November 2012 and to expire at midnight on Wednesday, 12 December 2012 – a total of 24 race meetings (8 metro, 16 country).

In arriving at this decision Stewards took into account Mr Todd's guilty plea and remorsefulness.

A Notice of Appeal against **the severity of the penalty** was lodged on Tuesday, 20 November 2012. A stay of proceedings was not requested.

DECISION: **Appeal allowed.**

Penalty varied – the period of suspension to now expire at midnight on Wednesday, 5 December 2012 (16 race meetings).

Mr Todd also fined the amount of \$1,000 – due on or before 5 December 2012.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

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

EXTRACT OF PROCEEDINGS

DECISION

JOCKEY: JARROD TODD

MELBOURNE

MONDAY, 26 NOVEMBER 2012

MR P. RYAN appeared on behalf of the RVL Stewards

MR P. JURKOVSKY appeared on behalf of the Appellant

CHAIRMAN: This is an appeal against the penalty imposed by the Stewards. The Board, as did the Stewards, accepts that Mr Todd showed immediate remorse by pleading guilty at the Stewards' inquiry, and the Board is also satisfied that he exhibited moral contrition, and that he did so would seem to be consistent with some of the references which have been supplied by Mr Jurkovsky.

In addition, the Board accepts that the behaviour of the horse was an aggravating factor and that Mr Todd's action in hitting the horse over the head with the whip was a frustration-caused reflex.

Nevertheless, one of the overriding considerations is the image which this event presented to the general public. Mr Ryan is quite correct in saying that the image of racing is of great importance in the consideration of matters of this kind.

In all the circumstances, taking into account other matters and the circumstances as applied to Mr Todd in this case, the Board thinks that the penalty should be varied, but not to a significant extent. Nevertheless, the Board varies the suspension to expire at midnight on Wednesday, 5 December 2012, and in addition, imposes a fine of \$1000 to be paid on or before that date.
