



APPEAL DECISION

PATRICK MOLONEY and RACING VICTORIA STEWARDS

Date of Hearing: 23 February 2017

Heard By: Judge Bowman (Chair), Mr Geoff Ellis, Mr Chris Fox.

Appearances: Mr Darren Triandafillou appeared on behalf of the stewards.
Mr Peter Jurkovsky appeared on behalf of Mr Moloney.

At an adjourned stewards' inquiry on Thursday, 16 February 2017, jockey Patrick Moloney was found guilty of a charge of improper riding under the provisions of AR 137(a). The charge relating to his ride on *Percivall Pott (NZ)* in Race 7 the *House Proud BM64 Handicap* (2219m) at Sale on Tuesday, 14 February 2017.

The particulars of the charge are that near the 1500 metres he deliberately shifted his mount in onto *Time For Dancing* in an attempt to take up the one off position that horse held, taking *Time For Dancing* off its course, tightening that gelding and making heavy contact with it, which resulted in *Time For Dancing* becoming badly unbalanced and forced off its rightful running.

Patrick Moloney's licence to ride in races was suspended for a total of 28 meetings to commence at midnight on 16 February 2017 and to at expire midnight on 10 March 2017 (7 metro, 21 provincial). In assessing penalty the Stewards took into account that this was his first offence under this rule. The suspension will be served concurrently with the suspension imposed for careless riding in the same race.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Friday, 17 February 2017. A stay of proceedings was not requested.

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

The period of suspension will now expire at midnight on 8 March 2017 (24 race meetings).

**Georgie Gavin
Registrar - Racing Appeals & Disciplinary Board**