

APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 19 December 2014

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: MICHELLE PAYNE**

Panel Judge Russell Lewis (Chair), Mr Brian Forrest (Deputy), Mr Darren McGee.

Appearances Mr Des O’Keeffe appeared on behalf of Ms Payne.
Mr Robert Cram appeared on behalf of the stewards.

At Flemington on Saturday 13 December 2014, jockey Michelle Payne was found guilty of a charge of careless riding on her mount *Profit Share* in Race 9 the *The Gifte Handicap* (1400m.)

The careless riding being that she rode her mount out near the 300m when not sufficiently clear of *Dancing Rose* resulting in that horse having to be steadied to avoid the heels of *Profit Share*.

Ms Payne had her licence to ride in races suspended for a period to commence at midnight on Sunday, 14 December 2014 and to expire at midnight on Saturday, 20 December 2014 - a total of 8 race meetings (3 metro, 5 provincial.)

In assessing penalty Stewards took into account the carelessness was in the low range and that she made some effort to straighten her mount during the later stages.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Tuesday, 16 December 2014.

A stay of proceedings was granted effective to midnight Thursday, 18 December 2014.

DECISION: **Appeal dismissed.**

Penalty to remain standing – taking into account the stay of proceedings the period of suspension will now expire at midnight on Monday, 22 December 2014.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR B. FORREST, Deputy Chairman
MR D. McGEE**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE GIFTE HANDICAP OVER 1400 METRES
AT FLEMINGTON ON 13/12/14**

JOCKEY: MICHELLE PAYNE

MELBOURNE

FRIDAY, 19 DECEMBER 2014

MR R. CRAM appeared on behalf of the RVL Stewards

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

CHAIRMAN: The Board is well satisfied that the films shown to the Board reveal that when Ms Payne shifted ground, she was insufficiently clear of Boss's mount, with the result that Boss had to steady his mount which, in the circumstances, was a reasonable response on his part.

The Board accepts, as did the stewards, that Ms Payne then took remedial measures by straightening her mount. The Board is satisfied that Ms Payne was careless and that the carelessness was in the low range. Accordingly, the appeal against conviction is dismissed.

The decision of the Stewards on penalty is affirmed, but because of the stay of two days, the penalty of suspension will now expire at midnight on Monday, 22 December 2014.
