RACING APPEALS AND DISCIPLINARY BOARD



400 Epsom Road Flemington Victoria 3031

Telephone: 03 9258 4260 Fax: 03 9258 4848 radboard@racingvictoria.net.au

APPEAL RESULT

DISTRIBUTION:	Chief Executive Group Integrity Services Group Racing and Group Racing Development ARB, ATA, VJA Office of Racing T Moxon – National Drug Register Racing Press
FROM:	Registrar – Racing Appeals and Disciplinary Board
DATE:	9 March 2016
SUBJECT:	APPEAL HEARING RESULT – JOCKEY: ALAN CREIGHTON
Panel	Judge Bowman (Chair), Mr Brian Forrest (Deputy), Prof Raymond Harbridge.
<u>Appearances</u>	Mr James Hitchcock appeared on behalf of the stewards. Mr Robert Blacker appeared on behalf of Mr Creighton.

At Colac on Saturday 5 March 2016, jockey Alan Creighton was found guilty of a charge of careless riding on his mount *Rain Fast* in Race 7 the *Russell Bell Racing 0-58 Handicap* (1200m).

The careless riding being that near the 1000m, A Creighton has carelessly permitted *Rain Fast* to shift in when not sufficiently clear of *Dragon Artist* that has been taken in off its course resulting in *Soldiers Opera* which was racing to the inside having to be checked.

Mr Creighton had his licence to ride in races suspended for a period to commence at midnight on Tuesday, 8 March 2016 and to expire at midnight on Thursday, 17 March 2016 – a total of 12 race meetings (3 metro, 9 provincial).

In assessing the penalty Stewards deemed the incident to be in the mid-range and took into account A. Creighton's record, the circumstances and the fact DRAGON ARTIST was over racing

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Monday, 7 March 2016. A stay of proceedings was not requested.

DECISION: Appeal against conviction dismissed. Appeal against severity of penalty allowed.

The period of suspension will now expire at midnight on Wednesday, 16 March 2016 (10 race meetings).

TRANSCRIPT OF PROCEEDINGS

RACING APPEALS AND DISCIPLINARY BOARD

HIS HONOUR JUDGE BOWMAN, Chairman MR B. FORREST, Deputy Chairman PROF R. HARBRIDGE

EXTRACT OF PROCEEDINGS

DECISION

IN THE MATTER OF THE RUSSELL BELL RACING 0-58 HANDICAP OVER 1200 METRES AT COLAC ON 5/3/16

JOCKEY: ALAN CREIGHTON

MELBOURNE

WEDNESDAY, 9 MARCH 2016

MR J. HITCHCOCK appeared on behalf of the RVL Stewards

MR R. BLACKER appeared on behalf of the Appellant

CHAIRMAN: We do take into account the fact that whilst Mr Creighton cut it too fine in relation to Lucinda Doodt's mount, it is obviously a mount that is a difficult one for a jockey because it was overracing and perhaps it made the interference to Brandon Stockdale's horse much worse than it otherwise would have been. We also take into account Mr Creighton's very good record in relation to careless riding charges and feel that a suspension of 10 meetings rather than 12 is the appropriate result.

We know that the ranges are not actually set out in the rules of course but they are there in an attempt by the Stewards to have consistency of outcome et cetera, but this seems to us to be, if we did apply the various ranges, at the top of one and the bottom of the other, if we can put it that way. So therefore we have settled upon a suspension of 10 meetings.
