



RACING APPEALS AND DISCIPLINARY BOARD

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APPEAL DECISION

PAUL HAMBLIN
and

RACING VICTORIA STEWARDS

Date of Hearing: 29 August 2016

Heard By: Mr Brian Forrest (Deputy Chair).

Appearances: Mr James Hitchcock appeared on behalf of the stewards.
Mr Hamblin appeared on his own behalf, assisted by Mr Stephen Baster.

At Ballarat on Sunday 21 August 2016, jumps jockey Paul Hamblin pleaded guilty to a charge under the provisions of LR62 (9)(a)(ii). The particulars of the charge being that; after easing his mount down from approximately the 600m and shifting to the outside of the home straight he then failed to retire his mount from the race when it was not in contention and reasonable to do so, and negotiated the final obstacle. The charge relating to his ride on *Nishiazabu* in Race 6 the *QLS Grand National Steeplechase* (4500m).

Mr Hamblin had his licence to ride in highweight/jumps races suspended for a period to commence at midnight on Sunday, 21 August 2016 and to expire at midnight Tuesday, 6 September 2016 - a total of 5 highweight/jumps races.

A Notice of Appeal against **the severity of the penalty** was lodged on Monday, 22 August 2016. A stay of proceedings was granted effective until midnight Sunday, 28 August 2016.

DECISION: Appeal against severity of penalty allowed.

Taking into the stay of proceedings, the period of suspension will stand as originally imposed and will expire at midnight on Tuesday, 6 September 2016 (2 highweight/jumps races).

Georgie Gavin
Registrar - Racing Appeals & Disciplinary Board

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

MR B. FORREST, Deputy Chairman

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE QLS GRAND NATIONAL
STEEPLECHASE OVER 4500 METRES AT BALLARAT ON 21/8/16**

PAUL HAMBLIN

and

RACING VICTORIA STEWARDS

400 EPSOM ROAD, FLEMINGTON

MONDAY, 29 AUGUST 2016

MR P. HAMBLIN (assisted by MR S. BASTER) appeared on his own behalf

MR J. HITCHCOCK appeared on behalf of the RVL Stewards

DEPUTY CHAIRMAN: At Ballarat on 21 August 2016, jumps jockey Paul Hamblin pleaded guilty to a charge under the provisions of LR 62(9)(a)(ii), being that after easing his mount down from approximately the 600 metres and shifting to the outside in the home straight, he then failed to retire his mount from the race when it was not in contention and reasonable to do so and negotiated the final obstacle. This charge related to his ride on Nishiazabu in race 6, the Grand National Steeplechase.

Mr Hamblin, who is licensed to ride in highweight/jumps races, was suspended from 21 August to expire midnight Tuesday, 6 September, a total of five highweight/jumps races.

Pending the determination of this appeal listed for today, a stay of proceedings was granted. I note from my understanding that the Stewards opposed the granting of the stay on the ground that Mr Hamblin pleaded guilty before the Stewards on the day of the race. However, it should be noted that entering a plea of guilty at a Stewards' inquiry is not necessarily a bar to the granting of a stay pending an appeal or to the range of outcomes which may follow the determination of an appeal.

This appeal is against the severity of penalty only. Firstly, I should state that I have regard to the rationale behind the rule in question, that is, one of animal welfare and in the interests of horse racing as it applies to jumps racing. I do not discount nor diminish those considerations and take into account what Mr Hitchcock has submitted in this regard in determining what I should do

with this appeal.

In this particular race where the prizemoney was huge and the field small in number of runners, there is a potential temptation perhaps to push the boundary, as it were, of the rule and secure some of the prizemoney on offer. I note in this case that no other runner other than Paul Hamblin's mount was in contention to obtain fifth place after the last jump was negotiated by the rest of the field. I note in this regard that there were only five finishers to the race.

Although Mr Hamblin said here today that he was in search of better going when he appeared to pull his mount out of the race, he did in fact plead guilty before the Stewards and again today.

One other matter I have considered is that I note that Mr Hamblin said that he is in the twilight of his career, to borrow his own words, and I think that that is worthy of some consideration on the question of penalty.

What I have decided to do is to retain the expiry date of the suspension at midnight, 6 September, which gives Mr Hamblin the benefit of the two races he gained during the period of the stay of proceedings.
