

APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 30 April 2015

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: DANIEL STACKHOUSE**

Panel Judge Russell Lewis (Chair), Mr Jeremy Rosenthal, Dr June Smith.

Appearances Mr John Didham appeared on behalf of Mr Stackhouse.
Mr Robert Cram appeared on behalf of the Stewards.

At Kyneton on Monday 27 April 2015, jockey Daniel Stackhouse was found guilty of a charge of careless riding on his mount *Know This* in Race 1 the *Glen Erin Maiden Plate* (1450m).

The careless riding being that near the 1200 metres he permitted his mount to shift in when not sufficiently clear of *Where I Should Be* resulting in that horse being tightened for room and taken in which in turn then tightened the running of *Giovanni Battiste* which was steadied off the heels of *Tupelo Express*.

Mr Stackhouse had his licence to ride in races suspended for a period to commence at midnight on Wednesday, 29 April 2015 and to expire at midnight on Friday, 8 May 2015 – a total of 10 race meetings (1 metro, 9 provincial.)

In assessing penalty Stewards deemed the incident to be in the mid-range and took into account the slight shift out from inside by *Tupelo Express* and *Where I Should Be* racing ungenerously when tightened for room.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Tuesday, 28 April 2015. A stay of proceedings was not requested.

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

Penalty varied so that the period of suspension expires at midnight on Monday, 4 May 2015 (6 race meetings.)

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR J. ROSENTHAL
DR J. SMITH**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE GLEN ERIN MAIDEN PLATE
OVER 1450 METRES AT KYNETON ON 27/4/15**

JOCKEY: DANIEL STACKHOUSE

MELBOURNE

THURSDAY, 30 APRIL 2015

MR R. CRAM appeared on behalf of the RVL Stewards

MR J. DIDHAM appeared on behalf of the Appellant

CHAIRMAN: This is an appeal against Daniel Stackhouse against the decision of the Stewards to find him guilty of careless riding and to subsequently suspend him. The Board is of the view that Daniel Stackhouse was careless and in one sense, he was unlucky to have found himself in the position he was, but on his own admission, he did tighten up Mark Pegus who was on his inside. That said, the Board is of the view that the degree of carelessness was in the low range, not in the mid-range.

The next question is the extent to which any other horse contributed to the interference. In the Board's view, the films show, particularly the side-on film shows, that Mark Pegus's mount was racing most ungenerously, throwing its head around and causing difficulty for its rider. That was well in evidence before the incident occurred and when the incident occurred, of course the intractability of Pegus's mount was exacerbated. In addition, there is evidence, as the Stewards agreed, that there was some contribution by Nathan Punch, who shifted ground sufficiently to be involved in the overall situation.

In the circumstances, the Board thinks that the Stewards were correct in taking into account the significant contribution of Pegus's mount and, to a lesser extent, the contribution of Punch's mount. Since the Board is of the view that the carelessness should be in the low range and since there is considerable contribution from the horses to which I have made mention, the Board is of the view that the period of suspension should be reduced, so that the suspension will expire at midnight on Monday, 4 May 2015.
