



APPEAL DECISION

NOEL CALLOW

and

RACING VICTORIA STEWARDS

Date of Hearing: 16 March 2017

Heard By: Judge Bowman (Chair).

Appearances: Mr Darren Triandafillou appeared on behalf of the stewards.
Mr Callow appeared on his own behalf.

At Pakenham on Thursday 9 March 2017, jockey Noel Callow was found guilty of a charge of careless riding on his mount *Ragazzo Del Corsa* in Race 5 the *Rotary Foundation Centenary BM64 Handicap* (1200m).

The careless riding being that passing the 1000 metres he permitted his mount to shift in when not clear of *Junior Burger* thereby taking that gelding into the running of *Denmix* resulting in *Denmix* being hampered and *Junior Burger* having to be checked.

Mr Callow had his licence to ride in races suspended for a period to commence at midnight on Monday, 13 March 2017 and to expire at midnight on 24 March 2017 - a total of 15 race meetings.

In assessing penalty the Stewards were of the view that the incident qualified for the high range category of carelessness and took into account his recent record.

A Notice of Appeal against **the severity of the penalty** was lodged on Saturday, 11 March 2017. A stay of proceedings was not requested.

DECISION: **Appeal allowed.**

Penalty varied so that the period of suspension expires after the day meeting at Seymour on Thursday, 23 March 2017 (12 race meetings).

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

HIS HONOUR JUDGE J. BOWMAN, Chairman

EXTRACT OF PROCEEDINGS

DECISION

NOEL CALLOW

and

RACING VICTORIA STEWARDS

RACING VICTORIA CENTRE, FLEMINGTON

THURSDAY, 16 MARCH 2017

MR N. CALLOW appeared on his own behalf

MR D. TRIANDAFILLOU appeared on behalf of the RVL Stewards

CHAIRMAN: Mr Noel Callow, you have pleaded guilty to a charge of careless riding in that, during the running of race 5 over 1200 metres at Pakenham on 9 March last, passing the 1000-metre mark, you permitted your mount, Ragazza Del Corsa, to shift in when not sufficiently clear of Junior Burger, ridden by Brad Rawiller, taking that horse onto Denmix, ridden by Jack Hill, causing that horse to be hampered and checked. You pleaded not guilty on the night and were suspended for 15 meetings. You are appealing against the severity of that penalty. The Stewards put the level of carelessness in the higher range and effectively allowed no discounts.

I have viewed the only video available. You wished to have the side-on video shown, but this could not be done for technical reasons. The interference was quite noticeable, particularly to Rawiller's mount. It is certainly in the mid to high range, not that the ranges apply to rules or are set in stone but they are a useful guide.

I accept that on the night in the Stewards' interview with you, you were tired and somewhat distressed, your brother having recently died and you having attended the funeral in Adelaide. You now freely admit that you should have pleaded guilty to the charge and pleaded guilty immediately. Your record is not outstanding. This is your third suspension since returning from Mauritius in the middle of 2016.

I accept what you say about your plea. You are now pleading guilty and I am

of the view that some allowance should be made for that, particularly given the circumstances that were prevailing. Your record, whilst certainly not outstanding, might also entitle to you a very small discount, but your guilty plea in the circumstances I have referred to are more persuasive.

In the circumstances, I am prepared to vary the period of suspension to one of 12 meetings.
