



RACING APPEALS AND DISCIPLINARY BOARD

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APPEAL DECISION

WILLIAM (BILLY) EGAN
and
RACING VICTORIA STEWARDS

Date of Hearing: 29 June 2016

Panel Judge Bowman (Chair).

Appearances Mr Geoff Hausfeld appeared on behalf of the stewards.
Mr Des O'Keeffe appeared on behalf of Mr Egan.

At Bendigo on Thursday 23 June 2016, jockey Billy Egan pleaded guilty to a charge of careless riding on his mount *Betalyk* in Race 4 the *Rising Sun Hotel Maiden Plate* (1300m).

The carelessness being that approaching the 1000m he permitted his mount to shift in when insufficiently clear of *Brother Adam* resulting in *Brother Adam* having to be restrained and losing its rightful running.

Mr Egan had his licence to ride in races suspended for a period to commence at midnight on Sunday, 26 June 2016 and to expire at midnight on Sunday, 3 July 2016 – a total of 7 race meetings (2 metro, 5 provincial).

In assessing penalty Stewards took into account his guilty plea, overall good record and that the carelessness was in the low range and the racing manners of *Brother Adam*.

A Notice of Appeal against **the severity of the penalty** was lodged on Friday, 24 June 2016.
A stay of proceedings was not requested.

DECISION: Appeal dismissed.
Penalty to remain standing.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

HIS HONOUR JUDGE J. BOWMAN, Chairman

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE RISING SUN HOTEL MAIDEN PLATE
OVER 1300 METRES AT BENDIGO ON 23/6/16**

BILLY EGAN

and

RACING VICTORIA STEWARDS

MELBOURNE

WEDNESDAY, 29 JUNE 2016

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

MR G. HAUSFELD appeared on behalf of the RVL Stewards

CHAIRMAN: Mr Billy Egan, you have pleaded guilty to the charge of careless riding, in that in race 4 at Bendigo on 23 June last, you permitted your mount, Betalyk, to shift in when insufficiently clear of Brother Adam, ridden by Amanda Masters, causing it to be restrained and lose its rightful running. The Stewards imposed a penalty of seven meetings and the incident was considered to be in the low category of careless riding offences and towards the bottom of that range.

As I have said on many occasions, ranges are not rules but they are a tool used by the Stewards in an endeavour to achieve consistency and predictability of sentencing.

I have viewed the patrol film. It seems to me that Ms Masters' horse was proving a handful for her, particularly in the first 100 metres or more, and drifted out. But the film does indicate that by the time of the interference, she had straightened her mount. Certainly its racing manners were far from perfect but it was going in a straight line when your mount crossed it when not sufficiently clear of it and have taken its running, causing it to be restrained. You looked first, but crossed, as stated, when not sufficiently clear.

Mr Hausfeld of the Stewards stated that you have a good record, two suspensions this calendar year but overall a good record, and the racing manners of Brother Adam have been taken into account when determining the penalty. I appreciate that a seven-meeting penalty will rule you out for next weekend when you do the bulk of your provincial riding.

However, unfortunately I am of the view that the Stewards took into account and gave sufficient weight to the relevant circumstances and that the penalty imposed was appropriate. The appeal is dismissed.
