



APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 28 November 2013

SUBJECT: **APPEAL HEARING RESULT – APPRENTICE JOCKEY:
PATRICK MOLONEY**

Panel Judge Russell Lewis (Chair), Mr Brian Forrest (Deputy), Mr Stephen Curtain.

Appearances Mr Des O’Keeffe appeared on behalf of Mr Moloney.
Mr Peter Ryan appeared on behalf of the Stewards.

At Kyneton on Friday 22 November 2013, apprentice jockey Patrick Moloney was found guilty of a charge of careless riding on his mount *Rapid Link* in Race 5 the *NMIT F&M 0-58 Handicap* (1112m).

The careless riding being that he permitted his mount to shift in when being ridden along approaching the winning post tightening *Once* in on to *Lady Hillingdon* which shifted in resulting in *Sweet Silhouette* clipping *Lady Hillingdon’s* heels after the winning post and almost falling.

P Moloney was suspended from riding in races for a period to commence at midnight on Tuesday, 26 November 2013 and to expire midnight on Monday, 9 December 2013 - a total of 16 race meetings (4 city, 12 country). In assessing penalty Stewards deemed the incident to be in the high range and took into account P Moloney’s record in this area.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Sunday, 24 November 2013.

A stay of proceedings was granted effective until midnight on Wednesday, 27 November 2013.

DECISION: Appeal dismissed. Penalty to remain standing.

Taking into account the stay of proceedings, the period of suspension to now expire at midnight on Tuesday, 10 December 2013.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR B. FORREST, Deputy Chairman
MR S. CURTAIN**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE NMIT FILLIES AND MARES 0-58
HANDICAP OVER 1112 METRES AT KYNETON ON 22/11/13**

APPRENTICE JOCKEY: PATRICK MOLONEY

MELBOURNE

THURSDAY, 28 NOVEMBER 2013

MR P. RYAN appeared on behalf of the RVL Stewards

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

CHAIRMAN: In this appeal, the Board is satisfied that there was a run for Josh Cartwright and that he was entitled to take the run. That being the nub of the appeal, the Board is of the opinion that the appeal against conviction is dismissed.

In relation to penalty, the Board accepts that Patrick Moloney has a good record and is a very promising young rider. Having said that, however, the Board is of the view that it was a high range level of carelessness and it was open to the Stewards to impose the penalty which they did and the Board sees no reason to interfere with that penalty.

Having regard to the fact that Patrick Moloney was granted a stay of one day, that day will have to be added on to the expiration period, so we get back to the stage where the penalty will expire now again on Tuesday, 10 December 2013 at midnight.
