

APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 4 march 2016

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: JOHN KEATING**

Panel Judge Bowman (Chair).

Appearances Mr Des O’Keeffe appeared on behalf of Mr Keating.
Mr Sam Cochrane appeared on behalf of the Stewards.

At Terang on Monday 29 February 2016, jockey John Keating pleaded guilty to a charge of careless riding on his mount *Biggy Rat* in Race 2 the *Cervus Equipment Terang Maiden Plate* (1000m).

The careless riding being that permitted his mount to shift out when being ridden along when not sufficiently clear of *Stratiki* that had to be checked to avoid the heels of *Biggy Rat*.

Mr Keating had his licence to ride in races suspended for a period to commence at midnight on Tuesday, 1 March 2016 and to expire at midnight on Monday, 7 March 2016 – a total of 8 race meetings (2 metro, 6 provincial).

In assessing penalty the panel deemed the incident in the low range and took into account J. Keating’s early guilty plea.

A Notice of Appeal against **the severity of the penalty** was lodged on Tuesday, 1 March 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 BOWMAN, Chairman

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE CERVUS EQUIPMENT TERANG
MAIDEN PLATE OVER 1000 METRES AT TERANG ON 29/2/16**

JOCKEY: JOHN KEATING

MELBOURNE

FRIDAY, 4 MARCH 2016

MR S. COCHRANE appeared on behalf of the RVL Stewards

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

CHAIRMAN: Mr John Keating has pleaded guilty to a charge of careless riding, in that in race 2 at Terang on 29 February last, he permitted his mount, Biggy Rat, to shift out when not sufficiently clear of Stratiki, ridden by Jamie Mott. The incident occurred close to the finishing post. This appeal is against the severity of the penalty only. The Stewards considered the incident to be one in the low range of carelessness and took into account Mr Keating's early plea of guilty. They also referred to his riding record and suspended him for eight meetings.

I note that there was a brief late attempt by Mr Keating to change his plea after the penalty was imposed, but the Stewards considered the matter to be concluded. I shall not take this into account, as Mr Keating's earlier statements were clearly to the effect that he was guilty. If I can quote just three of them, on page 3 of the transcript:

Yeah, I put my hands up. My horse has drifted. I've definitely drifted and I've got no excuse for it.

On page 4:

I did roll, so I'd have to say guilty.

On page 6:

I was sort of rolling out a little, so if he'd given me a call, well, I really would have stood up -

which amounts to admissions of guilt, but I am treating his plea of guilty as being an early one and ignore the later attempt to amend it.

I have viewed the patrol video and heard the evidence of Jamie Mott given by telephone. He essentially described the incident as nothing, whilst conceding to Mr Cochrane that he had to change course to avoid the heels of Mr Keating's mount.

Whilst the incident occurred close to the winning post, it was apparent that neither horse was going to finish in the first four places. The interference was quite evident. Jamie Mott clearly had to change course quite noticeably, that is, one and a half to two horses' width, to avoid the heels of Mr Keating's horse as Mr Keating was continuing to ride out.

Mr O'Keeffe on behalf of Mr Keating effectively asked me to vary the penalty of eight meetings to seven to enable Mr Keating to ride at Kyneton on Monday next. Whilst I am sympathetic to Mr Keating - as a jockey he does the bulk of his riding outside the city and wants to honour his obligations - I am afraid I am not going to vary the penalty.

Mr Keating's record, particularly in recent times, is not particularly good. He has had four suspensions in the range of seven to nine meetings in the last seven months in addition to one severe reprimand and all of these appear to relate to careless riding.

In the circumstances, allowing for his early plea of guilty, a suspension imposed of eight meetings seems to me to be quite appropriate and the appeal is dismissed.
