



APPEAL DECISION

BEN MELHAM

and

RACING VICTORIA STEWARDS

Date of Hearing: 9 October 2017

Heard By: Judge Bowman (Chair)

Appearances: Corie Waller appeared on behalf of the stewards.

Paul O'Sullivan of Bale Boshev Lawyers appeared on behalf of Ben Melham.

At Ballarat on Thursday 5 October 2017, Ben Melham was found guilty of a charge of careless riding on his mount *Keysor* in Race 2 the *Evergreen Turf Maiden Plate* (1400m).

The carelessness being that near the 1000m he allowed his mount to shift in when insufficiently clear of *Its A Date* which had to be checked

Mr Melham had his licence to ride in races suspended for a period to commence at midnight on Saturday, 7 October 2017 and to expire at midnight on Sunday, 15 October 2017 – a total of 9 race meetings (1 metro, 8 provincial).

In assessing penalty Stewards took into account his record, the meetings he will miss and that the careless riding was in the low range.

A Notice of Appeal against conviction and penalty was lodged on Friday, 6 October 2017. A stay of proceedings was not requested.

At the hearing, the Board accepted an application by Mr O'Sullivan on behalf of Mr Melham to withdraw the appeal against conviction.

DECISION: Appeal against severity of penalty – allowed.

Penalty varied so that the period of suspension expires at midnight on Friday, 13 October 2017 (7 race meetings).