

Registrar  
Racing Appeals and Disciplinary  
Board



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## Appeal Result

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Racing Press

**FROM:** Registrar – Racing Appeals and Disciplinary Board

**DATE:** 9 January 2009

**SUBJECT:** APPEAL RESULT – JOCKEY DALE SMITH

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At an adjourned inquiry on Monday 5 January 2009, Stewards found jockey Dale Smith guilty of a charge under AR 83(a) which states that:

*“Every jockey or apprentice may be punished if he misconducts himself in any way.”*

The particulars of the charge being that he verbally abused and pushed jockey Sam Hyland in the chest area in the jockey’s room after the running of Race 5 the *Bundaberg Rum F&M 0-62 Handicap* at Mornington on 1<sup>st</sup> January 2009.

Dale Smith had his licence to ride in races suspended for a period of four weeks, to commence midnight 5<sup>th</sup> January 2009 and to expire midnight 2<sup>nd</sup> February 2009. In determining penalty Stewards were of the view that S Hyland initiated the incident.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Monday 5<sup>th</sup> January 2009. The appeal against decision was subsequently withdrawn on Thursday 8<sup>th</sup> January 2009.

A stay of proceedings was granted effective until midnight Thursday 8<sup>th</sup> January 2009.

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**DECISION:** Appeal allowed.

Penalty varied - suspension to expire at midnight Monday 12<sup>th</sup> January 2009  
(noting that a Stay of Proceedings was effective until midnight 8<sup>th</sup> January 2009).

A fine of \$1000 to be paid on or before 31<sup>st</sup> January 2009.

Georgie Curtis

Registrar  
Racing Appeals and Disciplinary Board