



APPEAL DECISION

NIKITA BERIMAN *and* RACING VICTORIA STEWARDS

Date of Hearing: 12 April 2017

Heard By: Judge Bowman (Chair).

Appearances: Mr Peter Ryan appeared on behalf of the stewards.
Ms Beriman appeared on her own behalf, assisted by Matt Hyland.

At Echuca on Sunday 9 April 2017, Nikita Beriman was found guilty of a charge of careless riding on her mount *Casino Fourteen* in Race 2 the *Share Media Big Screen Hire Maiden Plate* (1200m).

In that she permitted her mount to shift in near the 900m when insufficiently clear of *Snitzepeg* resulting in that colt being taken in and having to be checked to avoid the heels of *Casino Fourteen*. When being taken in *Snitzepeg* raced tightly to the outside of *All Eez* hampering that colt slightly.

Ms Beriman had her licence to ride in races suspended for a period to commence at midnight on Monday, 10 April 2017 and to expire at midnight on Wednesday, 19 April 2017 – a total of 9 race meetings (2 metro, 7 provincial).

In assessing penalty Stewards deemed the incident to be in the low range and took into account her record and circumstances.

A Notice of Appeal against the **severity of the penalty** was lodged on 10 April 2017. 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

NIKITA BERIMAN

and

RACING VICTORIA STEWARDS

RACING VICTORIA CENTRE, FLEMINGTON

WEDNESDAY, 12 APRIL 2017

MS N. BERIMAN appeared on her own behalf, assisted by Mr M. Hyland

MR P. RYAN appeared on behalf of the RVL Stewards

CHAIRMAN: Ms Nikita Beriman, you have pleaded guilty to a charge of careless riding in that in race 2 at Echuca on 9 April 2017, you permitted your mount, Casino Fourteen, to shift in near the 900-metre mark when insufficiently clear of Snitzepeg, ridden by John Allen, causing that horse to be checked, and hampering All Eez, ridden by Damien Thornton. That is the charge.

At the hearing on 9 April 2017 you reserved your plea, but you are now pleading guilty. It cannot be said that you pleaded guilty at the earliest opportunity but there seems no dispute that you attempted to plead guilty after the last race. You had sought the advice of your father and decided to plead guilty but it was too late and the Stewards' report had gone.

I have viewed the film. The interference is quite noticeable. The principal interference is to John Allen's mount. He obviously had to check. The Stewards took into account that these were two-year-olds and that there was a strong wind blowing. The Stewards considered the interference to be in the low range, for which they usually impose a penalty in the seven to 10-meeting range. After a reduction for the fact that these were two-year-olds running in blustery conditions, a suspension of nine meetings was imposed.

Your record since resuming race riding on Boxing Day last is not brilliant, you having had three previous suspensions, so no discount could be allowed for that.

Mr Ryan, on behalf of the Stewards, frankly and properly admitted that had you pleaded guilty during the day and before the report went, that may have been a factor in relation to a further reduction. However, jockeys must understand that if they are to get the benefit of a guilty plea, it must be made before the Stewards' report goes.

In all the circumstances, given the difficulty in contacting your father, I think you may have been a little unlucky, but it is really your responsibility to enter the appropriate plea at the appropriate time.

I have some sympathy for your position and it is good to see the successful return of race riding that you have made, but the penalty of nine meetings seems to me to be a fair and appropriate one. Despite the eloquence of Mr Hyland who put your case in the most favourable light, the appeal is dismissed.
