

APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 13 November 2014

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

Panel Judge Russell Lewis (Chair), Prof Raymond Harbridge, Darren McGee

Appearances Mr Des O’Keeffe appeared on behalf of Mr Allen.
Mr James Hitchcock appeared on behalf of the Stewards.

At Warrnambool on Thursday 6 November 2014, jockey John Allen was found guilty of a charge of careless riding on his mount *Frog Talk* in Race 3 the *Valvoline Synpower Plate* (1200m.)

The careless riding being that that upon straightening, J Allen carelessly permitted *Frog Talk* to shift in when being ridden along when not sufficiently clear of *Gemmata*, that has been checked and lost its rightful running. In issuing the charge, Stewards believed *Frog Talk* was inclined to lay in prior to the interference, J Allen has looked to his inside before crossing his reigns and applying the whip during which time *Frog Talk* has shifted ground resulting in the interference.

Mr Allen had his licence to ride in races suspended for a period to commence at midnight on Monday, 10 November 2014 and to expire at midnight on Wednesday, 19 November 2014 – a total of 10 race meetings (7 provincial, 3 metro.)

In assessing penalty Stewards deemed the incident to be in the low range and took into account J Allens riding record.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Friday, 7 November 2014. A stay of proceedings was not requested.

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DECISION: **Appeal against conviction dismissed.**
Appeal against penalty allowed.
Penalty varied to expire at midnight on Saturday, 15 November 2014

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
PROF R. HARBRIDGE
MR D. McGEE**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE VALVOLINE SYNPOWER PLATE
OVER 1200 METRES AT WARRNAMBOOL ON 6/11/14**

JOCKEY: JOHN ALLEN

MELBOURNE

THURSDAY, 13 NOVEMBER 2014

MR J. HITCHCOCK appeared on behalf of the RVL Stewards

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

CHAIRMAN: In this appeal, the Board is troubled by the fact that prior to the interference, the Appellant had a sustained look to his inside, in circumstances where he knew that his mount was nervous and green. Although the horse had raced truly to the beginning of the turn, it was when the pressure was applied which is the relevant consideration.

The Appellant had the option of riding his mount hard hands and heels, he being a strong rider. He took the chance of giving it a backhand slap with the whip, with the result that it shifted in and caused Holland's mount to be checked which was, in part, an overreaction.

The Board takes into account that the Appellant then took immediate remedial action. Thus, the Board finds that the Appellant was careless but it would characterise the degree of carelessness in the lower registers of the low range.

What the Board intends to do is to vary the period of suspension so that it would expire at midnight on Saturday, 15 November 2014.
