



## APPEAL RESULT

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**DISTRIBUTION:** Chief Executive  
Group Integrity Services  
Group Racing and Group Racing Development  
VJA  
TVN  
Office of Racing  
T Moxon – National Drug Register  
Racing Press

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

**DATE:** 3 April 2013

**SUBJECT:** **APPEAL HEARING RESULT – JOCKEY: RYAN MALONEY**

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**Panel** Judge Russell Lewis (Chair), Mr Darren McGee, Mr Ron Taylor.

**Appearances** Mr Maloney appeared on his own behalf.  
Mr Corie Waller appeared on behalf of the Stewards.

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At Seymour on Tuesday, 26 March 2013 jockey Ryan Maloney was found guilty of a charge of careless riding on his mount *Quarterbar* in Race 5 the *Mitchelton Wines 0-68 Handicap* (1309m).

The careless riding being that he permitted his mount to shift in near the 600m when not sufficiently clear of *Wolfpack (NZ)* resulting in that gelding being tightened in onto *King Manu (NZ)* and having to be checked.

Ryan Maloney had his licence to ride in races suspended for a period to commence at midnight on Thursday, 28 March 2013 and to expire at midnight on Friday, 5 April 2013 - a total of 8 race meetings (3 metro, 5 provincial).

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Thursday, 28 March 2013.

In assessing penalty Stewards took into account R Maloney's record and deemed the incident to be in the low range. As a result of this incident *Stynes* which was following *Wolfpack (NZ)* had to be checked to avoid that gelding's heels.

A stay of proceedings was granted effective until midnight Monday, 1 April 2013.

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**DECISION:** **Appeal against decision dismissed.**  
**Appeal against severity of penalty allowed.**

**The period of suspension to now expire at midnight on Saturday, 6 April 2013 (6 race meetings.)**

**TRANSCRIPT OF  
PROCEEDINGS**

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**RACING APPEALS AND DISCIPLINARY BOARD**

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

**EXTRACT OF PROCEEDINGS**

**DECISION**

**IN THE MATTER OF THE MITCHELTON WINES  
0-68 HANDICAP OVER 1309 METRES AT SEYMOUR ON 26/3/13**

**JOCKEY: RYAN MALONEY**

**MELBOURNE**

**WEDNESDAY, 3 APRIL 2013**

MR C. WALLER appeared on behalf of the RVL Stewards

MR R. MALONEY appeared on his own behalf

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CHAIRMAN: In this case, the Board is satisfied that there are inconsistencies between what the Appellant, Ryan Maloney, told the Stewards and what he has told the Board today. The Board is satisfied that Ryan Maloney did shift in when he was not entitled to, and that view is highlighted by the fact that he admitted to the Stewards that he was not aware that there were two horses immediately on his inside and he admitted that he only eased the pressure when he heard a call from Jamie Mott. In the circumstances, the Board is satisfied that the charge of careless riding has been proved.

On the question of penalty, the Board is impressed with the evidence of Jack Hill and Jamie Mott that the gap between the end of the rail constituting the chute and the rail constituting the course proper was a contributing factor in crowding of the field as they prepared to come around the home turn. In the circumstances, the Board feels that that matter, properly viewed, should have been taken into account on the question of penalty. The Board does so take it into account, Mr Waller conceding that there may have been minimal contribution from the fact that the gap has something to do with the interference.

In all the circumstances, the Board varies the penalty so that the period of suspension will expire at midnight on Saturday, 6 April 2013.

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