

APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 6 September 2013

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: MICHELLE PAYNE**

Panel Judge Russell Lewis (Chair), Professor Raymond Harbridge,
Mr Graeme Johnson.

Appearances Ms Payne appeared on her own behalf.
Mr Robert Cram appeared on behalf of the Stewards.

At Caulfield on Saturday 31 August 2013, jockey Michelle Payne pleaded guilty to a charge of careless riding on her mount *Bec Said No Credit* in Race 3 the *Hocking Stuart Handicap* (1400m).

The careless riding being that near the 1200m she permitted her mount to shift in when not sufficiently clear of *Mosse Diva* resulting in *Mosse Diva* being checked to avoid the heels of *Bec Said No Credit*.

Ms Payne had her licence to ride in races suspended for a period to commence at midnight on Tuesday, 3 September 2013 and to expire at midnight on Friday, 13 September 2013 – a total of 10 race meetings (2 metro, 8 provincial).

In assessing penalty Stewards took into account M Payne's guilty plea and good record and deemed the incident in the mid-range.

A Notice of Appeal against **the severity of the penalty** was lodged on Tuesday, 3 September 2013. 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 R.P.L. LEWIS, Chairman
PROF R. HARBRIDGE
MR G. JOHNSON**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE HOCKING STUART HANDICAP
OVER 1400 METRES AT CAULFIELD ON 31/8/13**

JOCKEY: MICHELLE PAYNE

MELBOURNE

FRIDAY, 6 SEPTEMBER 2013

MR R. CRAM appeared on behalf of the RVL Stewards

MS M. PAYNE appeared on her own behalf

CHAIRMAN: In this case, the Board is of the view that, contrary to Ms Payne's submissions, Brett Prebble was there to be seen for some considerable distance prior to the actual taking hold, which he had to do. We find it extraordinary that she was not aware of his presence and in the Board's opinion, this appeal borders on the frivolous.

The Board has no hesitation in finding that it was a mid-range incident and there were no other mitigating factors apart from the plea of guilty. Accordingly, the appeal against penalty is dismissed.
