

APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 15 April 2015

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: DANIEL MOOR**

Panel Judge Russell Lewis (Chair), Mr Darren McGee, Mr Jeremy Rosenthal.

Appearances Mr Moor appeared on his own behalf.
Mr Wade Hadley appeared on behalf of the stewards.

At Kyneton on Sunday 12 April 2015, jockey Daniel Moor was found guilty of a charge of careless riding on his mount *Playboy Spike* in Race 1 the *ImageBox Maiden Plate* (1100m.)

The careless riding being that he permitted his mount to shift in when insufficiently clear near the 150 metres tightening the running of *Budzone* which had to be checked by its rider.

Mr Moor had his licence to ride in races suspended for a period to commence at midnight on Sunday, 12 April 2015 and to expire at midnight on Sunday, 19 April 2015 – a total of 8 race meetings (2 metro, 6 provincial.)

In assessing penalty Stewards deemed the incident to be in the low range and took into account his excellent record and that D Moor straightened his mount after initially causing the tightening.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Monday, 13 April 2015.

A stay of proceedings was not requested.

At the hearing an application was made by Mr Moor for leave to amend his appeal to severity of penalty only – this application was accepted by the Board.

DECISION: **Appeal dismissed. Penalty to remain standing.**

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

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

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE IMAGEBOX MAIDEN PLATE
OVER 1100 METRES AT KYNETON ON 12/4/15**

JOCKEY: DANIEL MOOR

MELBOURNE

WEDNESDAY, 15 APRIL 2015

MR W. HADLEY appeared on behalf of the RVL Stewards

MR D. MOOR appeared on his own behalf

CHAIRMAN: This is an appeal by Daniel Moor against conviction and penalty, although during the course of the hearing, Daniel Moor conceded that carelessness had been established. The question which remains is whether the penalty was outside the range of penalties available to the stewards.

The Board agrees that it was a low-range incident. In coming to its ultimate decision, the Board must be satisfied by the Appellant that the penalty of eight meetings was not appropriate.

In all the circumstances, the Board is of the view that the eight-meeting penalty was within the legitimate range of penalties open to the Stewards and to reduce that penalty by one or perhaps even two seems to the Board to be tinkering with the penalty imposed by the Stewards in all the circumstances, so the Board has no option but to dismiss the appeal. The penalty stands and the suspension will expire at midnight on Sunday, 19 April 2015.
