



APPEAL DECISION

JACKIE BERIMAN *and* RACING VICTORIA STEWARDS

Date of Hearing: 12 April 2017

Heard By: Judge Bowman (Chair).

Appearances: Mr Rob Montgomery appeared on behalf of the stewards.
Mr Des O'Keeffe appeared on behalf of Ms Beriman.

At Geelong on Tuesday 4 April 2017, jockey Jackie Beriman was found guilty of a charge of careless riding on her mount *My Naughty Hoaks* in Race 5 the *Rex Gorell Family Group F&M BM64 Handicap* (1525m).

The carelessness being that near the 1400m she permitted her mount to shift in when not sufficiently clear of *Roldana (NZ)* which had to be checked. In issuing the charge, Stewards acknowledge *Roldana (NZ)* was over-racing.

Ms Beriman had her licence to ride in races suspended for a period to commence at midnight on Wednesday, 12 April 2017 and to expire at the completion of the day meeting on Thursday, 20 April 2017 - a total of 8 race meetings (2 metro, 6 provincial) to be served cumulatively with the suspension incurred at Cranbourne on 31 March.

In assessing penalty Stewards took into account her overall good record, *Roldana (NZ)* was over-racing, the carelessness was in the mid-range and made deductions so as not to make her overall time of suspension excessive.

A Notice of Appeal against the severity of the penalty was lodged on Friday, 7 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

JACKIE BERIMAN

and

RACING VICTORIA STEWARDS

RACING VICTORIA CENTRE, FLEMINGTON

WEDNESDAY, 12 APRIL 2017

MR D. O'KEEFFE appeared on behalf of Ms J. Beriman

MR R. MONTGOMERY appeared on behalf of the RVL Stewards

CHAIRMAN: Ms Jackie Beriman, you have pleaded guilty to a charge of careless riding in race 5 at Geelong on 4 April 2017, in that you permitted your mount, My Naughty Hoaks, to shift in when not sufficiently clear of Roldana, ridden by Ben Allen, which had to be checked. There was also reference to Divine Command, ridden by John Allen, which was on your outside, but I am satisfied it played no real role in what occurred. You were suspended for eight race meetings. You had already been suspended for 10 race meetings on the previous Friday night meeting, so that the end result was a cumulative penalty of 18 meetings.

At the inquiry on 4 April last, you reserved your plea, but you are now pleading guilty, so it cannot be said that you pleaded guilty at the earliest possible opportunity.

I have viewed the video film. I agree that Roldana, which has a history of bad behaviour, was slowly away and raced ungenerously. However, it was to your inside and was making up ground. You looked to your left but apparently did not see Roldana and shifted towards the rails, clearly causing it to be checked. Whilst Roldana is obviously a horse with behavioural problems, the bottom line is that you shifted in, taking its running and causing it to be checked.

The Stewards found that the carelessness was in the mid-range but say that an appropriate reduction was made so that the cumulative suspension was not too crushing.

I do not agree with Mr O'Keeffe on your behalf that the carelessness should be considered in the low range. This was quite noticeable interference and Roldana, whatever its racing manners, had to be checked quite noticeably as you crossed to the rails where it was.

Mr O'Keeffe touched upon the fact that there are no meetings on Good Friday but I make no allowance in that regard. This is quite a different case from that of Beau Mertens. He had an excellent record and pleaded guilty at the earliest opportunity. The interference was what I considered to be in the lowest of the low range and he was to miss a 10-race metropolitan meeting on what was to be the last day of his suspension.

It seems to me in the present case that the interference was in the mid-range and the Stewards have made appropriate discounts for your good record and the impact of the cumulative penalty. The appeal is dismissed.
