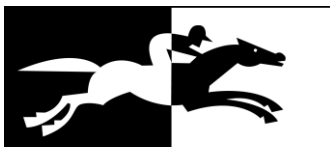


RACING VICTORIA LIMITED
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RACING APPEALS AND
DISCIPLINARY BOARD



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APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 18 August 2010

SUBJECT: **APPEAL HEARING RESULT:**
APPRENTICE JOCKEY- JORDAN MALLYON

Panel Judge Russell Lewis (Chair), Mr Stephen Curtain, Mr Chris Enright

Appearances Mr Michael Moroney appeared on behalf of Mr Mallyon.
Mr Peter Ryan appeared on behalf of the Stewards.

At Geelong Synthetic on Thursday, 12 August 2010 apprentice jockey Jordan Mallyon was found guilty of a charge of careless riding on his mount *Alpha Tango Sierra* in Race 5 the *Betfair Maiden Plate* (1300m).

The careless riding being that near the 1000m he permitted his mount to shift in when not sufficiently clear of *Tarmist* resulting in that mare being taken in and tightening the running of *Tanuja* which as a result had to check. In issuing the charge Stewards conceded that there was a slight shift outward's by *Odin's Hammer*. As a result of this incident *Last Cash* and *Extra Spice*, which were racing tightly to the inside of *Odin's Hammer* were tightened as a consequence.

Mr Mallyon had his licence to ride in races suspended for a period to commence at midnight on Saturday, 14 August 2010 and to expire at midnight on Friday, 27 August 2010 a total of 13 race meetings (3 metropolitan, 10 country). In assessing penalty Stewards took into account Jordan Mallyon's relatively good record and that the careless riding was in the mid-range category.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Sunday, 15 August 2010.

A stay of proceedings was granted effective to midnight Tuesday, 17 August 2010.

DECISION: Appeal dismissed - penalty to remain.

Taking into account the stay of proceedings, the period of suspension to now expire at midnight on Monday, 30 August 2010.

Georgie Curtis
Registrar - Racing Appeals & Disciplinary Board

TRANSCRIPT OF PROCEEDINGS

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR S. CURTAIN
MR C. ENRIGHT**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE BETFAIR MAIDEN PLATE
OVER 1300 METRES AT GEELONG SYNTHETIC ON 12/8/10**

APPRENTICE JOCKEY: JORDAN MALLYON

MELBOURNE

WEDNESDAY, 18 AUGUST 2010

MR P. RYAN appeared on behalf of the RVL Stewards

MR M. MORONEY appeared on behalf of the Appellant

CHAIRMAN: In this case, the Board has had the benefit of a comprehensive analysis of the evidence by Mr Ryan and Mr Moroney, Jordan Mallyon's master, and has carefully considered their submissions.

The onus is on the Stewards to prove their case on the balance of probabilities and in this case, the Board is satisfied that the Stewards have proved their case. That is, the Board is satisfied that Jordan Mallyon shifted in when not sufficiently clear of Chris Nicoll's mount, thereby causing Nicoll to check his mount, and in turn causing crowding to horses on his inside. Accordingly, the charge of careless riding has been proved.

DISCUSSION

In this case, the Board has listened to the submissions of the Steward and Mr Moroney, and the Board finds itself unable to agree that this is in the low range of carelessness. The Board is satisfied that it certainly is in the mid-range and accordingly, we are unable to reduce the penalty imposed by the Stewards. Having regard to the fact that a stay was given, it means that the suspension will now expire at midnight on Monday, 30 August 2010. That is to say, the appeal against penalty is also dismissed.

END OF EXTRACT