

APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 21 October 2014

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: HUGH BOWMAN**

Panel Judge Russell Lewis (Chair), Mr Brian Forrest (Deputy), Mr Darren McGee.

Appearances Mr Bowman appeared on his own behalf, assisted by Mr Des O’Keeffe.
Mr Dayle Brown appeared on behalf of the Stewards.

At Caulfield on Saturday 18 October 2014, jockey Hugh Bowman was found guilty of a charge of improper riding on his mount *Light Up Manhattan* in Race 4 the *Racing.com Caulfield Classic* (2000m.)

The improper riding being that from the 1500m he turned his mounts head in, placing unnecessary pressure on *Magicool* for some distance and making heavy contact with *Magicool* which was then taken in across the running of *Home Run Hero* which had to be eased. He continued to put pressure on *Magicool* to a point where its rider Glen Boss was forced in off his course.

Mr Bowman had his licence to ride in races suspended for a period to commence at midnight on Saturday, 18 October 2014 and to expire at midnight on Wednesday, 5 November 2014 – a total of 20 race meetings.

A Notice of Appeal against **the severity of the penalty** was lodged on Monday, 20 October 2014.

A stay of proceedings was not requested.

DECISION: **Appeal allowed.**

Penalty varied so that the period of suspension will now expire at midnight on Saturday, 1 November 2014 (16 race meetings.)

**RACING APPEALS AND DISCIPLINARY BOARD
(Appellate Jurisdiction)**

***Bowman v Racing Victoria Stewards
Reasons for Decision***

Judge R Lewis

Mr B Forrest

Mr D McGee

Chair

Deputy

Member

This is an appeal by Hugh Bowman against the severity of the penalty imposed by the stewards for improper riding.

The penalty imposed by the stewards was a suspension for 20 race meetings effective from midnight 18 October 2014 to midnight 5 November 2014.

The Board accepts Mr Brown's submission that the overriding sentencing principle in this case is general deterrence, the safety of riders and their mounts being the paramount consideration.

The Board finds, as Mr Brown conceded, that the appellant's riding was not in the category of the most serious examples of improper riding.

The Board accepts that the following mitigating factors have been established.

First, the appellant's good record over 18 years of riding in Australia and overseas. In particular he has no previous convictions for improper riding. That said, the appellant is a highly experienced rider and has frequently ridden in Victoria and the Board takes that into account.

Secondly, the Board accepts that the appellant has in substance pleaded guilty, albeit at a late stage.

The Board is of the opinion that the period of suspension should be varied so that the suspension will expire at midnight on Saturday, 1 November 2014.