

Registrar
Racing Appeals and Disciplinary
Board



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APPEAL RESULT

DISTRIBUTION: Chief Executive
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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 30 July 2009

SUBJECT: **APPEAL HEARING RESULT:**
JOCKEY 'A' CROSS COUNTRY – STEVEN PATEMAN

Panel: Judge Russell Lewis (Chair), Mr Chris Enright, Mr Ron Taylor

Appearances: Mr Terry Bailey, Chairman of Stewards, appeared on behalf of the RVL Stewards.
Mr Des O'Keeffe, Chief Executive VJA, appeared on behalf of Mr Pateman.

At Moonee Valley on Saturday 25 July 2009, jockey Steven Pateman was found guilty of a charge under the provisions of AR 83(a) [misconduct] and was fined \$400.

The charge relating to comments directed at Senior Steward Mark Hill during the course of an inquiry after the running of Race 4 the *Dominant Hiskens Steeplechase*.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Monday 27 July 2009.

DECISION: **The Board finds the charge proved – but with no conviction recorded and no penalty imposed.**

Georgie Curtis
Registrar - Racing Appeals & Disciplinary Board

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

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

EXTRACT OF PROCEEDINGS

DECISION

JOCKEY 'A' CROSS COUNTRY: STEVEN PATEMAN

MELBOURNE

THURSDAY, 30 JULY 2009

MR T. BAILEY appeared on behalf of the Stewards

MR D. O'KEEFFE appeared on behalf of the Appellant

CHAIRMAN: In this case, it is clear that as a consequence of the fall, the appellant's mental state was affected. There is evidence of distress and upset, confirmed by the doctor and Mr Ron Hall, and conceded by Mr Bailey. The appellant's mental state was still vulnerable when he was in the stewards' room, notwithstanding his request to see the films of the event.

The Board accepts that Mr Hill's question, although incomplete, raised in the appellant's mind a feeling that he was wholly or in part responsible for the fall. The words used were not acceptable. However, the circumstances in which they were used have to be seen in context. There is clear evidence that the appellant and Mr Hill were previously on familiar terms, indeed first name terms.

Further, the appellant apologised immediately for his behaviour and only pleaded not guilty on the advice of Mr O'Keeffe. The appellant is a man of impeccable character and is passionate concerning the retention of jumping races.

In all the circumstances which the Board finds are exceptional, the Board finds that the charge of misconduct has been proved, but in the Board's opinion, the offence is trivial. Therefore, there will be no conviction and no penalty.

END OF EXTRACT