

## APPEAL RESULT

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**DISTRIBUTION:** Chief Executive  
Group Integrity Services  
Group Racing and Group Racing Development  
ARB, ATA, TVN, VJA  
Office of Racing  
T Moxon – National Drug Register  
Racing Press

**FROM:** Registrar – Racing Appeals and Disciplinary Board

**DATE:** 17 March 2015

**SUBJECT:** **APPEAL HEARING RESULT – JOCKEY: MICHAEL WALKER**

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**Panel** Judge Russell Lewis (Chair), Mr Brian Forrest (Deputy), Mr Geoff Ellis.

**Appearances** Mr John Didham appeared on behalf of Mr Walker.  
Mr Rob Montgomery appeared on behalf of the stewards.

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At Flemington on Saturday 14 March 2015, jockey Michael Walker pleaded guilty to a charge of careless riding on his mount *Wawail* in Race 5 the *TAB Kewney Stakes* (Group 2, 1400m.)

The careless riding being that near the 200 metres he angled his mount out to obtain a clear run and in doing so made contact with *Bottle Of Smoke* on two occasions resulting in that horse getting off balance, shifting out and inconveniencing *Cristalina Lago*.

Mr Walker had his licence to ride in races suspended for a period to commence at midnight on Saturday, 14 March 2015 and to expire at midnight on Saturday, 21 March 2015 – a total of 8 race meetings (3 metro, 5 provincial).

In assessing penalty the Stewards were of the view that the incident qualified for the low range category of carelessness and took into account his guilty plea and good record.

A Notice of Appeal against **the severity of the penalty** was lodged on Monday, 16 March 2015. A stay of proceedings was not requested.

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**DECISION:** **Appeal dismissed.**

**TRANSCRIPT OF  
PROCEEDINGS**

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**RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman  
MR B. FORREST, Deputy Chairman  
MR G. ELLIS**

**EXTRACT OF PROCEEDINGS**

**DECISION**

**IN THE MATTER OF THE TAB KEWNEY STAKES  
(GROUP 2) OVER 1400 METRES AT FLEMINGTON ON 14/3/14**

**JOCKEY: MICHAEL WALKER**

**MELBOURNE**

**TUESDAY, 17 MARCH 2015**

MR R. MONTGOMERY appeared on behalf of the RVL Stewards

MR J. DIDHAM appeared on behalf of the Appellant

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CHAIRMAN: In this case, the film tells it all. The Board is satisfied that Michael Walker established the run but in establishing the run, he was careless. He got his horse to the position where it was on the edge of the dark green strip, and had he stayed there, then the penalty imposed by the Stewards would obviously have been a lot less. But he did not stay there, he continued to move out, made contact with Newitt's mount, and that was the second element of the carelessness.

In the circumstances, the Board is of the opinion that the penalty imposed by the Stewards was well within the range of penalties open to it. Accordingly, we have no option but to dismiss the appeal.

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