

## 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:** 28 October 2014

**SUBJECT:** **APPEAL HEARING RESULT – JOCKEY: MICHELLE PAYNE**

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**Panel** Judge Russell Lewis (Chair), Mr Brian Forrest (Deputy), Mr Jeremy Rosenthal.

**Appearances** Mr John Didham appeared on behalf of Ms Payne.  
Mr Terry Bailey appeared on behalf of the Stewards.

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At Moonee Valley on Saturday 25 October 2014, jockey Michelle Payne was found guilty of a charge of careless riding on her mount Prince of Penzance (NZ) in Race 5 the *Racing.com Moonee Valley Gold Cup* (Group 2, 2500m.)

The careless riding being that passing the 400m she permitted her mount to improve into a position between *Precedence (NZ)* and *Black Tycoon* where there was insufficient racing room, resulting in her mount making contact with the hindquarters of *Precedence (NZ)* which shifted out resulting in *Albonetti* being placed in restricted room inside of *Epingle* and clipping the heels of *Precedence (NZ)* or *Epingle* and its rider Chad Schofield being dislodged near the 300m.

Ms Payne had her licence to ride in races suspended for a period to commence at midnight on Saturday, 25 October 2014 and to expire at midnight on Wednesday, 12 November 2014 – a total of 20 race meetings, to be served concurrently with the suspension incurred in Race 6.

Stewards deemed this incident to be in the high range.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Monday, 27 October 2014. A stay of proceedings was not requested.

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**DECISION:** **Appeal dismissed.**  
**Penalty to remain standing.**

# **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 J. ROSENTHAL**

### **EXTRACT OF PROCEEDINGS**

#### **DECISION**

**IN THE MATTER OF THE RACING.COM MOONEE VALLEY  
GOLD CUP (GROUP 2) OVER 2500 METRES AT MOONEE VALLEY  
ON 25/10/14**

**JOCKEY: MICHELLE PAYNE**

**MELBOURNE**

**TUESDAY, 28 OCTOBER 2014**

MR T. BAILEY appeared on behalf of the RVL Stewards

MR J. DIDHAM appeared on behalf of the Appellant

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CHAIRMAN: This is an appeal by Ms Michelle Payne against a decision by the Stewards that she was guilty of careless riding. After a lengthy hearing involving a spirited defence by Mr John Didham who appears for the Appellant, the Board finds that there was in fact no run for the Appellant. The Board rejects her argument that she was in the run. Rather, she knew that there was insufficient room for her to take the run, but nevertheless rode on, taking the chance that she would get away with what was a perilous manoeuvre. As it turned out, she caused Boss's mount to shift out with the result that Schofield's mount clipped heels and he fell.

The Board finds that there was no material contribution from any other rider. Accordingly, the appeal against conviction is dismissed. The Board affirms the decision relating to penalty.

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