

APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 18 June 2013

SUBJECT: **APPEAL HEARING RESULT – JUMPS JOCKEY: STEVEN PATEMAN**

Panel Judge Russell Lewis (Chair), Mr Bill Kneebone, Mr Ron Taylor.

Appearances Mr Pateman appeared on his own behalf, assisted by Mr Des O’Keeffe.
Mr Terry Bailey appeared on behalf of the Stewards.

At Bendigo on Sunday 16 June 2013, jumps jockey Steven Pateman was found guilty of a charge of careless riding on his mount *Black and Bent* in Race 3 the *Brendan Drechsler Hurdle* (3200m).

The careless riding being that he permitted his mount to shift in near the 800 metres resulting in *Brungle Cry* and *Dubhdara*, which were racing to his inside, being placed in restricted room until near the first hurdle in the straight, resulting in *Brungle Cry* then being hampered and having to be checked.

Steven Pateman had his licence to ride in races suspended for a period to commence at midnight on Sunday, 16 June 2013 and to expire at the completion of the first highweight race at Hamilton on Sunday, 23 June 2013 – a total of 5 races.

In assessing penalty Stewards deemed the interference to be in the mid range and took into account his good record.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Tuesday, 18 June 2013. A stay of proceedings was not required.

DECISION: **Appeal against decision dismissed.**
Appeal against severity of penalty allowed.

The period of suspension to now expire at midnight on Saturday, 22 June 2013.

TRANSCRIPT OF PROCEEDINGS

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR W. KNEEBONE
MR R. TAYLOR**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE BRENDAN DRESCHLER HURDLE
OVER 3200 METRES AT BENDIGO ON 16/6/13**

JOCKEY: STEVEN PATEMAN

MELBOURNE

TUESDAY, 18 JUNE 2013

MR T. BAILEY appeared on behalf of the RVL Stewards

MR S. PATEMAN appeared on his own behalf, assisted by
MR D. O'KEEFFE

CHAIRMAN: It is clear in this case that the obligation on a rider in a hurdle race, particularly in Steven Pateman's position in this race, was to allow sufficient room for horses on his inside. That principle raises the question of which horses should he have reasonably known were on his inside as they approached the subject jump.

The Board finds it difficult to accept that not only did Steven Pateman not hear any calling from Ryan and Eynon, save for one call by Eynon, but also failed to appreciate that Ryan was on the inside of Eynon when he, Pateman, had a look at the 600, he, Pateman, knowing that Ryan was on the inside of Eynon at the 800. Further, it is obvious from the evidence in the transcript that Eynon heard Ryan calling to him which caused him to call to Pateman.

In the Board's opinion, Steven Pateman, an experienced and extremely competent rider, failed to take reasonable care by not allowing sufficient room for riders on his inside, particularly as the field approached the hurdle. It follows that the appeal against conviction is dismissed.

On the question of penalty, the Appellant gains no credit for a plea of guilty since he has pleaded not guilty before the Stewards and maintains his position before the Board. Nevertheless, the Board is of the view that the Stewards paid insufficient weight to Pateman's excellent record. It is the rub of the green that Mount Gambier races have been abandoned, but nevertheless the Board still takes into account the fact that Pateman's good record entitles him to a further discount.

Accordingly, the period of suspension is varied to expire at midnight on Saturday, 22 June 2013.
