



# RACING APPEALS AND DISCIPLINARY BOARD

400 Epsom Road  
Flemington VIC 3031  
Telephone: 03 9258 4260  
Fax: 03 9258 4848  
radboard@racingvictoria.net.au

---

## APPEAL DECISION

BEN ALLEN  
*and*

RACING VICTORIA STEWARDS

---

**Date of Hearing:** 29 August 2016

**Heard By:** Mr Brian Forrest (Deputy Chair).

**Appearances:** Mr Rob Montgomery appeared on behalf of the stewards.  
Mr Stephen Baster appeared on behalf of Mr Allen.

---

At Pakenham on Tuesday 23 August 2016, apprentice jockey Ben Allen was found guilty of a charge of careless riding on his mount *Shampers* in Race 2 the *Book Now for Pakenham Cup Maiden Plate* (1100m).

The careless riding being that passing the 100 metres he permitted his mount to shift out whilst being ridden along when not sufficiently clear of *Valleyofthedolls*, which was taken out off its course and inconvenienced, resulting in rider Jye McNeil being restricted in riding *Valleyofthedolls* out in his normal manner.

Mr Allen had his permit to ride in races suspended for a period to commence at midnight on Thursday, 25 August 2016 and to expire midnight Tuesday, 6 September 2016 - a total of 12 race meetings (3 metro, 9 provincial). In assessing penalty the Stewards were of the view the incident qualified for the mid-range category of carelessness and took into account his record.

A Notice of Appeal against the **severity of the penalty** was lodged on Thursday 25 August 2016. A stay of proceedings was not requested.

---

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

Georgie Gavin  
Registrar - Racing Appeals & Disciplinary Board

**TRANSCRIPT OF  
PROCEEDINGS**

---

**RACING APPEALS AND DISCIPLINARY BOARD**

**MR B. FORREST, Deputy Chairman**

**EXTRACT OF PROCEEDINGS**

**DECISION**

**IN THE MATTER OF THE BOOK NOW FOR PAKENHAM CUP  
MAIDEN PLATE OVER 1100 METRES AT PAKENHAM ON 23/8/16**

**BEN ALLEN**

**and**

**RACING VICTORIA STEWARDS**

**400 EPSOM ROAD, FLEMINGTON**

**MONDAY, 29 AUGUST 2016**

MR S. BASTER appeared on behalf of Mr B. Allen

MR R. MONTGOMERY appeared on behalf of the RVL Stewards

---

DEPUTY CHAIRMAN: I accept that Ben Allen has been a very busy rider but as they say, every picture tells a story, and that was a very considerable shift. I have taken into account Ben Allen's record. There has got to be a greater awareness of a shift of this nature.

I do not propose to interfere with the penalty. I think in the circumstances it is not unreasonable. The appeal against conviction is dismissed.

---