



APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 13 April 2016

SUBJECT: **APPEAL HEARING RESULT – APPRENTICE JOCKEY: MICHAEL DEE**

Panel Judge Bowman (Chair).

Appearances Mr Terry Bailey appeared on behalf of the stewards.
Mr Des O’Keeffe appeared on behalf of Mr Dee.

At Sandown Hillside on Saturday 9 April 2016, apprentice jockey Michael Dee pleaded guilty to a charge of careless riding on his mount *Tuff Bickie* in Race 6 the *Ladbroke’s Galilee Series Final* (Listed, 2400m).

The carelessness being that passing the 1000m he failed to make sufficient effort to prevent his mount from shifting in and left insufficient racing room for runners to his inside, *Skulduggery* and *Sarimanok*, and contact being made to *Pay Up Bro*.

Mr Dee had his permit to ride in races suspended for a period to commence at midnight on Saturday, 9 April 2016 and to expire at midnight on Sunday, 17 April 2016 – a total of 10 race meetings (1 metro, 9 provincial).

In assessing penalty Stewards took into account Michael Dee’s guilty plea and good record and the interference was in the mid-range.

A Notice of Appeal against the **severity of the penalty** was lodged on Monday, 11 April 2016. A stay of proceedings was not requested.

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

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

HIS HONOUR JUDGE BOWMAN, Chairman

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE LADBROKES GALILEE SERIES FINAL
(LISTED) OVER 2400 METRES AT SANDOWN HILLSIDE ON 9/4/16**

APPRENTICE JOCKEY: MICHAEL DEE

MELBOURNE

WEDNESDAY, 13 APRIL 2016

MR T. BAILEY appeared on behalf of the RVL Stewards

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

CHAIRMAN: Mr Michael Dee has pleaded guilty to a charge of careless riding, in that in race 6, at Sandown Hillside on 9 April 2016, he failed to make sufficient effort to prevent his mount, Tuff Bickie, shifting in and left insufficient room for runners on his inside. The other horses involved were Skulduggery, ridden by Ryan Maloney; Sarimanok, ridden by Declan Bates, and Pay Up Bro, ridden by Dean Yendall. There was also reference to a horse ridden by Glen Boss, although in my view it made little contribution to the situation.

The Stewards considered the interference to be in the mid-range. Having taken into account Mr Dee's plea of guilty and his good record, a period of suspension of 10 race meetings was imposed, and Mr Dee is appealing against the severity of that penalty.

I have said on many occasions that the ranges of interference used by the Stewards in assessing penalty are not carved in stone. They are not set out in the rules. However, they are a method used by the Stewards as a guide in an endeavour to obtain consistency of penalties and so that jockeys have some idea of what to expect. The range of penalties are not binding but they are a useful tool. An appropriate penalty for the individual offence must still be considered.

I have viewed the patrol video. It seems to me to be clear that Mr Dee did not make sufficient effort to prevent his horse shifting in and that was the main cause of the noticeable interference to the mounts of Maloney, Bates and

Yendall. I can understand why he pleaded guilty.

In my opinion, there may have been some contribution from the horses inside Mr Dee's mount, but the main cause of the interference rests with him. His mount moving in caused quite a noticeable tightening of those inside him. Fortunately Dean Yendall had some space to his left and clear of the running rail.

As I said, each incident must be viewed on its merits. Taking into account the above, Mr Dee's good record, the contribution of the horses on the inside, as well as his insufficient effort as it turned out to straighten his mount, it still seems to me that the penalty of a 10-meeting suspension is appropriate.

If the Stewards' ranges of interference were to be used, I would agree that it is in the mid-range and that appropriate allowances have been made. Whichever way you look at it, it seems to me that the appeal should be dismissed.
