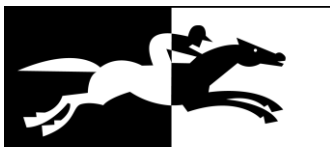


RACING VICTORIA LIMITED  
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RACING APPEALS AND  
DISCIPLINARY BOARD



**Racing Victoria Limited**  
www.racingvictoria.net.au

Racing Victoria Centre  
400 Epsom Road  
Flemington Victoria 3031  
Tel: 03 9258 4260  
Fax: 03 9258 4707  
g.curtis@racingvictoria.net.au  
www.racingvictoria.net.au

## APPEAL RESULT

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**DISTRIBUTION:** Chief Executive  
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Racing Press

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

**DATE:** 29 September 2009

**SUBJECT:** **APPEAL HEARING RESULT – JOCKEY: DOMINIC TOURNEUR**

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**Panel** Judge Russell Lewis (Chair), Brian Forrest (Deputy Chair), Bill Kneebone

**Appearances** Terry Bailey, Chairman of Stewards, appeared on behalf of the Stewards.  
Des O’Keeffe, Chief Executive VJA, appeared on behalf of Mr Tourneur.

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At the Moonee Valley night meeting on Friday 25 September 2009, jockey Dominic Tourneur was found guilty of a charge of careless riding on his mount *Alcopop* in Race 8 the *Tatts Group JRA Cup* (2040m).

The careless riding being that inside the 400m he allowed his mount to shift out from behind *Marchelle Belle* where there was insufficient room to do so, resulting in *Alcopop* continuing to shift out after being taken out slightly by *Marchelle Belle* with *Miss Darcey* having to be checked severely in consequence.

Dominic Tourneur had his licence to ride in races suspended for a total of 10 meetings, to commence midnight Sunday 27 September 2009 and to expire midnight Wednesday 7 October 2009 (2 metropolitan, 8 provincial).

In assessing penalty, Stewards were of the view that the carelessness and the degree of interference qualified for the high range category, however, reduced that to a medium category given the contributing influence from *Marchelle Belle* in the incident.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Saturday 26 September 2009. A stay of proceedings was not requested.

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

**Georgie Curtis**  
Registrar - Racing Appeals & Disciplinary Board

**TRANSCRIPT OF  
PROCEEDINGS**

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**RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman  
MR B. FORREST  
MR B. KNEEBONE**

**EXTRACT OF PROCEEDINGS**

**IN THE MATTER OF THE TATTS GROUP JRA CUP  
OVER 2040 METRES AT MOONEE VALLEY ON  
25 SEPTEMBER 2009**

**JOCKEY: DOMINIC TOURNEUR**

**DECISION**

**MELBOURNE**

**TUESDAY, 29 SEPTEMBER 2009**

MR T. BAILEY appeared on behalf of the Stewards

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

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CHAIRMAN: In this case, the Board is satisfied that the appellant rode his mount out in circumstances where there was a strong likelihood that he would and in fact did cause interference to McEvoy's mount.

The Board makes the observation that the appellant was unlucky, in that Boss was on McEvoy's outside, thus giving McEvoy no opportunity to take evasive action, and therefore that the degree of carelessness would perhaps not have been as great, but that really goes to the question of penalty.

Mr O'Keeffe's submission would have considerable force but for one factor: the record of Dominic Tourneur. One cannot ignore the fact that in August, he was convicted of reckless riding and there was a suspension in February. So the appeal against conviction and penalty is dismissed.

**END OF EXTRACT**