

RACING VICTORIA LIMITED
ACN 096 917 930

RACING APPEALS AND
DISCIPLINARY BOARD



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HEARING RESULT

Distribution: Chief Executive
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Office of Racing
S. Carvosso – Racing NSW
Racing Press

FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 11 September 2009

SUBJECT: **HEARING RESULT – APPRENTICE: ADAM MCCABE**

Panel Judge Russell Lewis, Mr Stephen Curtain, Mr Bill Kneebone

Appearances Ms Heidi Lester appeared on behalf of the RVL Stewards.
Mr Adam McCabe appeared on his own behalf, assisted by Mr Ron Hall.

Charge Breach of AR 175(a) – [improper practice].

The charge relating to Mr McCabe weighing out with a saddle without stirrup leathers or stirrup irons prior to the running of Race 2 the *Caledonian Hotel Maiden Plate (1)* at Echuca on Monday 24 August 2009.

Plea Guilty

Decision Convicted and fined the amount of \$1000

\$500 of this fine to be paid on or before 31 October 2009 and the balance of \$500 to be held in suspension for a period of 12 months provided that Mr McCabe does not commit a similar offence within this period.

That is, the order of suspense lasts until 10 September 2010 and the payment of the balance of \$500 is only activated if Mr McCabe re-offends.

Georgie Curtis
Registrar - Racing Appeals and Disciplinary Board

TRANSCRIPT OF PROCEEDINGS

RACING APPEALS AND DISCIPLINARY BOARD

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

EXTRACT OF PROCEEDINGS

APPRENTICE JOCKEY: ADAM McCABE

DECISION

MELBOURNE

FRIDAY, 11 SEPTEMBER 2009

MS H. LESTER appeared on behalf of the Stewards

MR A. McCABE appeared on his own behalf

CHAIRMAN: In this matter, Adam McCabe has pleaded guilty to a charge involving deceit. He is aged 19 years and is an apprentice. The Board has taken into account what was in effect an early plea of guilty, he being frank and honest when interviewed by the stewards and virtually admitting his guilt at
5 that time. He had no prior convictions or relevant prior convictions.

The Board notes that his actions were premeditated but he did not think through the consequences of his act of deception. The Board is satisfied that Adam McCabe is a young man of essentially good character, the Board
10 accepting Mr Ron Hall's estimation of him and also Mr John Didham's evidence in this regard.

In all the circumstances, the Board thinks that a monetary penalty is appropriate for this offence and that Adam McCabe is fined the sum of \$1000.
15 \$500 is to be paid on or before 31 October 2009. A balance of \$500 is to be held in suspense for a period of 12 months, provided that Adam McCabe does not commit a similar offence in the meantime, that is, the order of suspense lasts until 10 September 2010.

20 **END OF EXTRACT**