



## APPEAL RESULT

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**DISTRIBUTION:** Chief Executive  
Group Integrity Services  
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Office of Racing  
T Moxon – National Drug Register  
Racing Press

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

**DATE:** 10 February 2016

**SUBJECT:** **APPEAL HEARING RESULT – JOCKEY: JACK HILL**

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**Panel** Judge Bowman (Chair).

**Appearances** Mr James Hitchcock appeared on behalf of the stewards.  
Mr Des O’Keeffe appeared on behalf of Mr Hill.

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At Terang on Thursday 4 February 2016, jockey Jack Hill pleaded guilty to two charges of careless riding on his mount *Lepaute* in Race 5 the *Twaddle Catering Handicap* (1000m).

In relation to the first charge, the careless riding being that near the 700m, J Hill carelessly permitted *Lepaute* to shift out when not sufficiently clear of *Dynamic Day* that has been checked, clipping heels, blundering and losing its rightful racing position.

In relation to the second charge, the careless riding being that near the 550m J Hill carelessly permitted *Lepaute* to shift in when not sufficiently clear of *Jayas Kiss* that has been checked, losing its rightful racing position.

In relation to both the first and charges Mr Hill had his licence to ride in races suspended for a period to commence at midnight on Saturday, 6 February 2016 and to expire at midnight on Tuesday, 16 February 2016 – a total of 11 race meetings (3 metro, 8 provincial). Stewards ordered this penalty be served concurrently with the previous suspension imposed.

In assessing penalty for each charge Stewards took into account J Hill’s guilty plea, record, personal circumstances and deemed the incident to be in the mid-range.

A Notice of Appeal against **the severity of the penalty** was lodged on Sunday, 7 February 2016. A stay of proceedings was not requested.

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**DECISION:** **Appeal against each charge dismissed.**  
**Penalty to remain standing.**

**TRANSCRIPT OF  
PROCEEDINGS**

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**RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE BOWMAN, Chairman**

**EXTRACT OF PROCEEDINGS**

**DECISION**

**IN THE MATTER OF THE TWADDLE CATERING HANDICAP  
OVER 1000 METRES AT TERANG ON 4/2/16**

**JOCKEY: JACK HILL**

**MELBOURNE**

**WEDNESDAY, 10 FEBRUARY 2016**

MR J HITCHCOCK appeared on behalf of the RVL Stewards

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

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CHAIRMAN: Mr Jack Hill has pleaded guilty to two charges of careless riding arising in the same race, namely race 5 at Terang on 4 February 2016. Mr Hill was riding Lepaute in the 1000-metre event. Near the 700-metre mark, he permitted his mount to shift out when not sufficiently clear of Dynamic Day, ridden by Michelle Payne. Near the 550-metre mark, he permitted Lepaute to shift in when not sufficiently clear of Jaya's Kiss, ridden by Patrick Holmes, causing that horse to be checked and lose its rightful racing position.

The Stewards imposed a penalty of 11 meetings in respect of each charge. Originally a 12-meeting suspension was imposed in respect of each, but this was reduced to 11 when Mr Hill ultimately opted to plead guilty to each. It was ordered that the penalties be served concurrently, so that the total period of suspension was 11 meetings, that is, two of 11 to be served concurrently. Although apparently accepting the penalty at the time, Mr Hill now appeals against the severity of it.

The Stewards have described each incident of interference as a "nasty check". Having viewed the videos, I certainly agree that the first incident could be so described. It may be that four horses were racing tight in front of him, but Mr Hill shifted his mount out, apparently not aware of Michelle Payne's mount being close behind on his outside. That caused her mount to be checked and to clip a heel and blunder.

I agree with Mr Hitchcock that the outward shift by Mr Hill was in the order of a horse and a half. It may be that Mr Hill was worried about the tight racing of the four horses ahead of him, but to shift out a horse and a half without having regard to the horse close behind him on his outside is to my mind quite a substantial degree of carelessness and could have resulted in a very unfortunate incident. Indeed, Mr Hitchcock raised the possibility of an increased penalty, something which I am not going to do.

The second interference, a shift in, taking the running of Patrick Holmes' mount, arguably had some extenuating circumstances as the running rail is not perfectly aligned, and Holmes' mount may have shifted out a little with it. However, Mr Hill admits he shifted in. This resulted in Holmes' mount being checked quite noticeably and its running being taken.

Mr Hill has a good record. He has also been absent from the saddle from March of last year for a period in excess of six months following an awful accident. Doubtless his financial position is a worry. Initially he reserved his plea but ultimately pleaded guilty and deserves some credit for that. Indeed, initially he said he would "cop" 11 meetings, but later, on reviewing the situation, had second thoughts.

In my opinion the overall penalty of 11 meetings imposed by the Stewards was a fair and proper penalty for the interference, particularly that of the first incident, interference that was quite severe. As indicated, I will not be increasing the penalty but the penalty imposed seems to me to be fair and

proper. It is hard for Mr Hill no doubt who has been through a lot, but it seems to me to be the proper result of the appeal to be dismissed.

It is little consolation, but I otherwise wish him every success in his ongoing return to racing following that awful accident, but the appeal is dismissed.

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