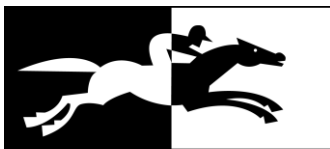


RACING VICTORIA LIMITED
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RACING APPEALS AND
DISCIPLINARY BOARD



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APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 11 December 2009

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: DANNY ADAM**

Panel Judge Russell Lewis (Chair), Mr Brian Forrest (Deputy Chair),
Mr Jeremy Rosenthal

Appearances Ms Sally Miller, Stipendiary Steward, appeared on behalf of the Stewards.
Mr Adam appeared on his own behalf.

At Terang on Monday, 7 December 2009, jockey Danny Adam was found guilty of a charge of careless riding on his mount *Avelon Royale* in Race 6 the *Lifetime Trophies Tour of Victoria 0-78 Handicap* (1000m).

The careless riding being that approaching the 100 metres he rode his mount in across the heels of *Netra* resulting in *Side Splitter* having to be checked, thereby taking that gelding in onto *What's The Mail* which was hampered.

Danny Adam had his licence to ride in races suspended for a period to commence at midnight Wednesday, 9 December 2009 and to expire at midnight Tuesday, 15 December 2009 – a total of 8 race meetings (3 metropolitan, 5 country). In assessing penalty, Stewards took into account Danny Adam's excellent race riding record and the fact that *Netra* shifted out slightly. Stewards viewed the interference to be in the low range.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Tuesday, 8 December 2009.

A stay of proceedings was not requested.

DECISION: **Appeal dismissed.**

Georgie Curtis
Registrar - Racing Appeals & Disciplinary Board

TRANSCRIPT OF PROCEEDINGS

RACING APPEALS AND DISCIPLINARY BOARD

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

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE LIFETIME TROPHIES TOUR OF
VICTORIA 0-78 HANDICAP OVER 1000 METRES AT TERANG
ON 7/12/09**

JOCKEY: DANNY ADAM

MELBOURNE

FRIDAY, 11 DECEMBER 2009

MR S. MILLER appeared on behalf of the Stewards

MR D. ADAM appeared on his own behalf

CHAIRMAN: All right. Look, we'll just give consideration to it. We've dismissed the appeal on conviction but we'll consider the question of penalty. We'll ask the parties to retire.

MR O'KEEFFE: Thank you.

MR FORREST: Excuse me, just before you go, you were saying he's got a very good record, has he?

MS MILLER: I have a copy for each of the board members if you wish, if I may.

CHAIRMAN: Yes, sorry. We just took that as read.

MS MILLER: There's the results of the races and his rides.

CHAIRMAN: It just shows you, Mr O'Keeffe, the less rides you have, the less you get into trouble.

MR O'KEEFFE: That's true, Mr Chairman, yes, the law of averages.

MS MILLER: I've highlighted Danny Adam's last suspension prior to this one was back in 2007 at the Mornington meeting and then prior to that was 25 July 06, on the second page, fourth from the top, at the Tatura meeting.

CHAIRMAN: Yes, thanks for that, Ms Miller.

MR FORREST: Thank you.

ADJOURNED

RESUMED

CHAIRMAN: In this case on the question of penalty, the Board is of the view that the stewards on this occasion, the chairman being Ms Miller, acted conservatively and were in fact generous in coming to the view that the penalty should be as it was. Certainly it was in the low grade. The Board in all the circumstances did consider reducing it by a small amount, but on the other hand, there is no compelling reason to do so because it is quite clear that on next Monday or Tuesday, Mr Adam would not be riding in any event.

The only compelling reason that would exercise the minds of the Board is that there might have been some financial hardship involved having regard to Mr Adam's circumstances, but since he will not be riding on those two days, there is no point in taking that matter any further. Accordingly, the Board is of the opinion that the appeal against penalty also be dismissed.

END OF EXTRACT