



RACING APPEALS AND DISCIPLINARY BOARD

400 Epsom Road
Flemington VIC 3031
Telephone: 03 9258 4260
Fax: 03 9258 4848
radboard@racingvictoria.net.au

APPEAL DECISION

Shane Jackson
and
RACING VICTORIA STEWARDS

Date of Hearing 7 July 2016

Panel Judge Bowman (Chair), Mr Stephen Curtain & Dr June Smith.

Appearances Mr Corie Waller appeared on behalf of the Stewards.
Mr Des O'Keeffe appeared on behalf of Mr Jackson.

At Donald on Saturday 2 July 2016, jumps jockey Shane Jackson was found guilty of two charges of careless riding on his mount *Shot and Sprung* in Race 1 the *Hardingham's Plumbing & Electrical Maiden Highweight Plate* (1620m).

Charge 1

In the vicinity of the 1400 metres S Jackson permitted his mount *Shot And Sprung* to shift in when insufficiently clear of *Tortured Poet* which was taken in onto *Dubya Rose* which in turn was taken in on onto *Styallo* which was also taken in onto *Oh Baby* which was tightened for room having to be checked losing its rightful running.

S Jackson was suspended for a period to commence at midnight 3 July, and to expire at midnight 10 July, a suspension of 4 highweight/jumps races. In assessing the matter stewards took into account S Jackson's good record the significant races he will miss and deemed the incident to be in the mid-range.

Charge 2

Near the 1200 metres S Jackson permitted his mount to shift in when insufficiently clear of *Tortured Poet* which had to be restrained inwards to avoid *Shot And Sprung's* heels which further resulted in *Dubya Rose* and *Styallo* which were racing to *Tortured Poet's* inside being crowded when placed in restricted room.

Stewards ordered that this suspension be served concurrently with the suspension incurred earlier in the event. S Jackson was suspended for a period to also commence at midnight 3 July, and to expire at midnight 10 July, a suspension of 4 highweight/jumps races. In assessing the matter stewards took into the aforementioned elements and deemed the incident to be in the mid-range.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Tuesday, 5 July 2016. A stay of proceedings was not required.

DECISION

Charge 1 Appeal against conviction dismissed.
Appeal against severity of penalty allowed.
Penalty varied to a period of suspension for 2 jumps/highweight races.

Charge 2 An application by Mr Jackson for leave to withdraw the appeal against conviction and amend his plea to guilty was accepted by the Board.

Appeal against severity of penalty allowed.
Penalty varied to a period of suspension for 2 jumps/highweight races, to be served concurrently with the period of suspension for Charge 1.

Georgie Gavin
Registrar - Racing Appeals & Disciplinary Board

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE J. BOWMAN, Chairman
MR S. CURTAIN
DR J. SMITH**

EXTRACT OF PROCEEDINGS

DECISION

SHANE JACKSON

and

RACING VICTORIA STEWARDS

MELBOURNE

WEDNESDAY, 7 JULY 2016

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

MR C. WALLER appeared on behalf of the RVL Stewards

CHAIRMAN: The appeal against penalty is allowed. Bearing in mind Mr Jackson's very good record and the contribution we feel that was made to the situation and the interference by Paul Hamblin's mount, we are of the view that a penalty of two jumps races or highweight races is appropriate.

We take into account the plea of not guilty. We feel that the carelessness in what was described as the second incident was really low range. We think the appropriate penalty for it is also two jumps or highweight races and that penalty be served concurrently with the penalty on charge number 1.
