

APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 2 October 2014

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: JAKE NOONAN**

Panel Judge Russell Lewis (Chair), Mr Graeme Johnson, Mr Darren McGee.

Appearances Mr John Didham appeared on behalf of Mr Noonan.
Mr Brett Wright appeared on behalf of the Stewards.

At Sandown Hillside on Saturday 27 September 2014, jockey Jake Noonan was found guilty of a charge of careless riding on his mount *Present Arms (NZ)* in Race 2 the *Edithvale Aspendale Sporting Club Handicap* (1500m.)

The careless riding being that near the 100m he permitted his mount to shift out when not clear of *Eye Of The World* resulting in that horse being tightened onto *Glow Torch* and being eased.

Jake Noonan had his licence to ride in races suspended for a period to commence at midnight on Monday, 29 September 2014 and to expire at midnight on Monday, 6 October 2014 – a total of 8 race meetings (2 metro, 6 provincial.)

In assessing penalty, Stewards took into account Jake Noonan's excellent record and that the careless riding was in the low range.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Monday 29 September 2014.

A stay of proceedings was granted effective until midnight Wednesday, 1 October 2014.

DECISION: **Appeal allowed.**

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR G. JOHNSON
MR D. McGEE**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE EDITHVALE ASPENDALE
SPORTING CLUB HANDICAP OVER 1500 METRES AT
SANDOWN HILLSIDE ON 27/9/14**

JOCKEY: JAKE NOONAN

MELBOURNE

THURSDAY, 2 OCTOBER 2014

MR B. WRIGHT appeared on behalf of the RVL Stewards

MR J. DIDHAM appeared on behalf of the Appellant

CHAIRMAN: The nub of this appeal is whether Craig Newitt was two lengths clear when Jake Noonan shifted ground, in which case the charge would be made out, or whether, when Jake Noonan went to take the run to the outside of Newitt, he was outside his heels and was carried out when Newitt shifted ground.

In the Board's opinion, the films shown are such that the Board has been left in the position where it is unable to arrive at a firm conclusion. The onus being on the Stewards to prove their case on the balance of probabilities, the Board is not satisfied that Jake Noonan was careless. Accordingly, the appeal is allowed.
