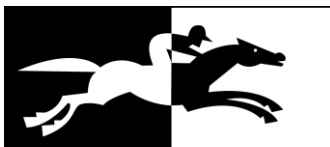


RACING VICTORIA LIMITED
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RACING APPEALS AND
DISCIPLINARY BOARD



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APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 20 November 2009

SUBJECT: **APPEAL HEARING RESULT - APPRENTICE: KYLE HOCKING**

Panel Judge Russell Lewis (Chair), Ms Barbara Phelan, Mr Ron Taylor

Appearances Mr James Williams, Stipendiary Steward, appeared on behalf of the Stewards.
Mr Peter Meilak, Rider's Agent, appeared on behalf of Kyle Hocking.

At Moe on Tuesday, 17 November 2009, apprentice Kyle Hocking pleaded guilty to a charge of careless riding on his mount *Bay Dreams* in Race 9 the *I Love Monacellars 0-62 Handicap* (2050m).

The careless riding being that approaching the winning post on the first occasion, he permitted his mount to shift in when not sufficiently clear of *Jazetai Mink*, resulting in that horse having to be checked, shifting in and brushing the hindquarters of *Arbeecee*, resulting in that horse being hampered.

Mr Hocking had his licence to ride in races suspended for a period to commence midnight Tuesday, 17 November 2009 and to expire midnight Thursday, 26 November 2009 a total of 10 meetings, (3 metropolitan, 7 provincial). In considering penalty, stewards took into account that the interference was in the mid-range of severity, Kyle Hocking's excellent record in this area and his guilty plea.

A Notice of Appeal against **the severity of the penalty** was lodged on Wednesday 18 November 2009.

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
MS B. PHELAN
MR R. TAYLOR**

DECISION

EXTRACT OF PROCEEDINGS

**IN THE MATTER OF THE I LOVE MONACELLARS 0-62 HANDICAP
OVER 2050 METRES AT MOE ON 17/11/09**

APPRENTICE JOCKEY: KYLE HOCKING

MELBOURNE

FRIDAY, 20 NOVEMBER 2009

MR J. WILLIAMS appeared on behalf of the Stewards

MR P. MEILAK appeared on behalf of the Appellant

CHAIRMAN: In this matter, the Board, having seen the films and referred to the transcript and listened carefully to the submissions of Mr Williams and Mr Meilak, is of the view that Anthony Darmanin had no involvement in the careless riding; there was no contribution by him, in other words. The Board also is of the opinion that Kyle Hocking should have appreciated earlier than he did that Matthew Allen was restraining his mount and the position which existed was that there was very little room into which Kyle Hocking's mount could slot and in the circumstances, he did so at his own peril. It did not work. There was interference to Knobel's mount subsequently and other horses hampered.

In the circumstances, the Board feels that the Stewards' penalty should not be interfered with, appropriate discounts having been made for a plea of guilty and for Kyle Hocking's good record. Accordingly, and reluctantly, the Board must dismiss the appeal.

END OF EXTRACT