

## APPEAL RESULT

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

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

**DATE:** 24 July 2013

**SUBJECT:** **APPEAL HEARING RESULT – APPRENTICE JOCKEY:  
DAMIEN THORNTON**

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**Panel** Judge Russell Lewis (Chair), Mr Brian Forrest (Deputy), Dr June Smith.

**Appearances** Mr Des O’Keeffe appeared on behalf of Mr Thornton.  
Mr James Hitchcock appeared on behalf of the Stewards.

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At Geelong Synthetic on Friday 19 July 2013, apprentice jockey Damien Thornton was found guilty of a charge of careless riding on his mount *Miss Magnifique* in Race 1 the *GRC Function and Event Centre Maiden Plate* (1000m) at Geelong Synthetic on Friday, 19 July 2013.

The careless riding being that at approximately the 800m he carelessly permitted his mount to shift in when not sufficiently clear of *Runs For Fun*, resulting in B Evans having to check his mount.

Mr Thornton had his licence to ride in races suspended for a period to commence at midnight on Monday, 22 July 2013 and to expire at midnight on Saturday, 3 August 2013 - a total of 12 race meetings (4 metro, 8 country).

In assessing penalty Stewards took into account D Thornton’s good record and that the careless riding was in the mid-range category.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Monday, 22 July 2013.

A stay of proceedings was not requested.

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**DECISION:** **Appeal dismissed. Penalty to remain standing.**

# **TRANSCRIPT OF PROCEEDINGS**

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## **RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman  
MR B. FORREST  
DR J. SMITH**

## **EXTRACT OF PROCEEDINGS**

## **DECISION**

**IN THE MATTER OF THE GRC FUNCTION AND  
EVENT CENTRE MAIDEN PLATE OVER 1000 METRES  
AT GEELONG SYNTHETIC ON 19/7/13**

**APPRENTICE JOCKEY: DAMIEN THORNTON**

**MELBOURNE**

**WEDNESDAY, 24 JULY 2013**

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: On the question of penalty, the Board is concerned that this type of riding brings with it great responsibility because, having regard to what is going on at the turn at the 800 metres, anything could happen. The Board has concluded that the cause of the interference was entirely the fault of Damien Thornton.

In the circumstances, the Board is of the view that to reduce the penalty by a small margin would be simply tinkering with the Stewards' decision and that is not the appropriate way to approach the case on penalty.

In all the circumstances, the Board thinks that the Stewards were correct in deciding that the penalty was 12 meetings. Accordingly, the appeal against penalty is dismissed.

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