



APPEAL DECISION

CLAYTON DOUGLAS
and
RACING VICTORIA STEWARDS

Date of Hearing: 12 April 2017

Heard By: Judge Bowman (Chair).

Appearances: Mr Rob Montgomery appeared on behalf of the stewards.
Mr Douglas appeared on his own behalf, assisted by Matt Hyland.

At Bendigo on Tuesday 11 April 2017, jumps jockey Clayton Douglas pleaded guilty to a charge under LR 62(9)(a) which relevantly states that:

The rider of a horse in a hurdle or steeplechase race or official trial must retire the horse from the race or official trial immediately where: (ii) the horse is not in contention and is fatigued.

The particulars of the charge are that Mr Douglas failed to retire his mount, *Oregon's Girl*, out of the race when it was out of contention and jumped the second last obstacle before retiring the mare from the event.

Mr Douglas had his permit to ride in jumps/highweight races suspended for a period to commence at midnight on Tuesday, 11 April 2017 and to expire at midnight on Saturday, 15 April 2017 – a total of 2 jumps races.

In assessing penalty Stewards took into account his guilty plea and record.

A Notice of Appeal against **the severity of the penalty** was lodged on Wednesday, 12 April 2017. A stay of proceedings was not required.

DECISION: Appeal dismissed. Penalty to remain standing.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

HIS HONOUR JUDGE J. BOWMAN, Chairman

EXTRACT OF PROCEEDINGS

DECISION

CLAYTON DOUGLAS

and

RACING VICTORIA STEWARDS

RACING VICTORIA CENTRE, FLEMINGTON

WEDNESDAY, 12 APRIL 2017

MR C. DOUGLAS appeared on his own behalf, assisted by Mr M. Hyland

MR R. MONTGOMERY appeared on behalf of the RVL Stewards

CHAIRMAN: Mr Clayton Douglas, you have pleaded guilty to a charge of a breach of Local Rule 62(9)(a), in that in race 1, the steeplechase at Bendigo on 11 April 2017, you failed to retire your mount, Oregon's Girl, out of the race when it was out of contention and jumped the second-last obstacle before retiring your mount from the event. The Stewards imposed a period of suspension of two races and you are appealing against the severity of that penalty.

I have viewed the video film. I am of the view that Oregon's Girl was well and truly out of contention by the time of approaching the second-last jump.

Indeed on the video, which is something of a long-range shot, you seem to be sitting up and the horse is certainly not under pressure to improve. It appears to be going along at a speed not greatly above that of a canter. It may well be that it was inconvenienced when at the rear of the field and two horses near the front fell, but for whatever reason, it was well and truly and clearly out of contention approaching the second-last jump.

You eased it out of the race before the last jump. I agree that this should have happened earlier and before the second-last jump. I also agree with Mr Montgomery on behalf of the Stewards that this is a particularly important rule. Jumps racing is frequently under attack and any fall, particularly a fatal fall, attracts protests from certain groups and certain areas of the media. The safety of horses and jockeys is a vital ingredient in the survival of jumps racing. In this regard, a large degree of responsibility is placed upon the shoulders of jumps jockeys.

I appreciate that you are relatively inexperienced, that you ultimately did ease the horse out of the race before the final jump and that it had jumped cleanly. However, by the second-last jump, it had no chance. It was a long way behind. Had the worst happened and it suffered a bad or fatal fall, the critics of jumps racing would have been heard loud and clear. It is a large responsibility for jumps jockeys to carry but it is also a very important one.

Your record in this regard is not spotless, in that you have been severely reprimanded once before for the same thing. I appreciate that you have pleaded guilty and that you are comparatively inexperienced, but also that you are obviously very talented and promising. However, as I have stated, you also carry with you a very considerable responsibility.

In all the circumstances and considering the penalties imposed on others for this offence, the penalty of two races seems to me to be quite reasonable. I realise that you will miss the first day of Oakbank, but my conclusion is that the appeal should be dismissed.
