



APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 12 August 2014

SUBJECT: **APPEAL HEARING RESULT – JUMPS JOCKEY: RICHARD EYNON**

Panel Mr Russell Lewis (Chair), Mr Brian Forrest (Deputy), Mr Chris Fox.

Appearances Mr Des O’Keeffe appeared on behalf of Mr Eynon.
Mr Rob Montgomery appeared on behalf of the Stewards.

At Sandown Lakeside on Sunday 27 July 2014, jumps jockey Richard Eynon was found guilty of a charge under AR 120(b) for accepting a ride when overweight and was fined \$500.

The charge relating to Mr Eynon accepting the ride on *Earthbound* in Race 3 the *JJ Houlahan Hurdle* (3400m.)

Earthbound was a late withdrawal at 12.45pm after Stewards denied a request for Richard Eynon to ride 1 kilogram overweight, given there were suitable replacement riders available at the weight.

Stewards, taking into account the submissions made by the trainer Mr Eric Musgrove that *Earthbound* required a certain style of rider to negotiate this particular horse over obstacles, allowed the withdrawal. All monies invested on *Earthbound* were refunded.

DECISION: Appeal allowed.

Penalty varied to a fine of \$250 – due on or before 31 August 2014.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR B. FORREST, Deputy Chairman
MR C. FOX**

EXTRACT OF PROCEEDINGS

DECISION

JUMPS JOCKEY: RICHARD EYNON

MELBOURNE

TUESDAY, 12 AUGUST 2014

MR R. MONTGOMERY appeared on behalf of the RVL Stewards

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

CHAIRMAN: In this case, the Board has taken a number of matters into account in coming to the decision on penalty.

Mr Eynon is a first offender and is obviously of limited means. The Board is satisfied that he was not trying to hide the fact that he was overweight. Indeed, when he phoned Mr Musgrove about 10.30, he thought that he was around about the mark. The Board also takes into account other penalties which have been demonstrated, particularly with jumping riders over the last 12 months.

Finally, there is nothing in the transcript which indicates whether the Stewards considered the question of granting approval under Local Rule 48A(3). The transcript was a bit deficient in this area.

For all those reasons, the Board thinks that the penalty should be reduced. The result is that the Board substitutes a fine of \$250, to be paid on or before 31 August 2014.
