



HEARING RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 13 September 2013

SUBJECT: **HEARING RESULT – JOCKEY: JACOB RULE**

Panel Judge Russell Lewis (Chair), Mr Geoff Ellis, Mr Shaun Ryan.

Appearances Mr Peter Jurkovsky appeared on behalf of Mr Rule.
Mr Corie Waller appeared on behalf of the Stewards.

Charge Breach of AR 175(q)

The Committee of any Club or the Stewards may penalise any person who in their opinion is guilty of any misconduct, improper conduct or unseemly behaviour.

The charge relating to an incident after the running of Race 5 at Stawell on Tuesday, 3 September 2013 in which Mr Rule caused jockey Jake Noonan to become dislodged from his mount.

Plea Guilty.

Decision Mr Rule convicted and suspended for a period of 6 weeks – expiring at midnight on Friday, 25 October 2013.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR G. ELLIS
MR S. RYAN**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE GIFT HOTEL 0-58 HANDICAP
OVER 1100 METRES AT STAWELL ON 3/9/13**

JOCKEY: JACOB RULE

MELBOURNE

FRIDAY, 13 SEPTEMBER 2013

MR C. WALLER appeared on behalf of the RVL Stewards

MR P. JURKOVSKY appeared on behalf of Mr J. Rule

CHAIRMAN: Jacob Rule, you have pleaded guilty to a charge laid under Australian Rule of Racing 175(q). The facts and circumstances relating to this charge have been well canvassed during the course of the plea and I do not intend to repeat them.

The Board is satisfied that there was a measure of provocation on the part of Jake Noonan which, in part, helps to explain your conduct but does not excuse it. Likewise, your state of mind at the time, probably induced by wasting, in combination with personal issues described by Ms Lisa Stevens, are relevant factors which the Board takes into account. The Board also accepts that you did not make contact with Noonan with the intention of dislodging him from his mount.

Further, a number of mitigating factors have been established, including your early plea of guilty, your moral contrition, the absence of relevant prior convictions, as well as the fact that your behaviour was out of character.

Nevertheless, this is a serious offence. What occurred created the potential for injury to your fellow rider, for injury to his mount, and indeed potential for injuries to racing participants in this case.

Relevant sentencing principles include general deterrence, denunciation of your conduct and harm to the image of racing. It is clear that nothing short of a period of suspension is the appropriate penalty.

After taking into account all relevant sentencing considerations and the facts and circumstances relating to this incident, the Board is of the opinion that you should be suspended until midnight on 25 October 2013.
