



APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 4 May 2016

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: JAKE NOONAN**

Panel Judge Bowman (Chair).

Appearances Mr Corie Waller appeared on behalf of the stewards.
Mr Noonan appeared on his own behalf.

At Caulfield on Saturday 30 April 2016, Jake Noonan pleaded guilty to a charge of careless riding on his mount *Oregon's Day* in Race 5 the *Thoroughbred Club Cup* (Listed, 1200m).

The carelessness being he permitted his mount to shift in whilst riding it along passing the 200m resulting in tightening to *Epic Moment* resulting in that horse having to be checked.

Mr Noonan had his licence to ride in races suspended for a period to commence at midnight on Saturday, 30 April 2016 and to expire at midnight on Monday, 9 May 2016 – a total of 9 race meetings (1 metro, 8 provincial).

In assessing penalty Stewards took into account Jake Noonan's guilty plea and excellent record (has not been suspended since February 2015) and that the carelessness was in the mid-range.

A Notice of Appeal against **the severity of the penalty** was lodged on Monday, 2 May 2016.

A stay of proceedings was not requested.

DECISION: **Appeal allowed.**

Penalty varied so that the period of suspension expires at midnight on Friday, 6 May 2016 (6 race meetings).

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

HIS HONOUR JUDGE J. BOWMAN, Chairman

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE THOROUGHBRED CLUB CUP (LISTED)
OVER 1200 METRES AT CAULFIELD ON 30/4/16**

JOCKEY: JAKE NOONAN

MELBOURNE

WEDNESDAY, 4 MAY 2016

MR C. WALLER appeared on behalf of the RVL Stewards

MR J. NOONAN appeared on his own behalf

CHAIRMAN: Mr Jake Noonan, you have pleaded guilty to a charge of careless riding, in that in race 5 at Caulfield on 30 April 2016, at about the 200-metre mark, you permitted your mount, Oregon's Day, to shift in, tightening Epic Moment, ridden by Craig Newitt, causing that horse to be checked. Your mount ultimately won.

Stewards considered the carelessness to be mid-range and suspended you for a total of nine meetings. Your record was described as excellent. That and your guilty plea were taken into account. You are appealing against the severity of that sentence.

I have viewed the patrol film. There is no doubt that Craig Newitt's mount was checked when your horse shifted in. There is also no doubt that Newitt's mount was weakening at the time, not that that constitutes an excuse for continuing to ride your mount as it shifted in. I also accept that your mount was green and moved away from the horse on its outside. As with many of these situations, it unfolded very rapidly, particularly as you were in the final 200 metres of the race.

This is a difficult situation to assess. The carelessness seems to me to be in the low range, not that these ranges are hard and fast, as the rules are, but they are a valuable guide to the Stewards in achieving consistency of outcome, so that jockeys know what to expect. However, each case must be considered on its individual merits.

These are some matters to be taken into account. Your plea of guilty is one of them. In addition, you have what the Stewards have described as an excellent record. I accept you otherwise have had no suspension for 15 months and have had 850 rides in that time, and that is truly an excellent record. I also take into account that you did not ask for a stay, but unfortunately that has already cost you three winners. Perhaps it is not something that I should strictly take into account but it seems to me to be an unlucky development. There is further poor luck. Essentially because of the Warrnambool carnival, there are no night meetings this week. In recent weeks, there have been two. So your suspension goes for more days than might otherwise have been the case. I appreciate that that is the luck of the draw and there is no excuse for careless riding. However, you are unlucky.

I am of the view that the interference was in the low range. Bearing in mind the circumstances, including your plea of guilty and your truly excellent record, I am allowing the appeal and reduce the penalty to six meetings.
