

Appeal decision

Date: 25 November 2014

Code of racing: Thoroughbred

Appeal panel: Mr B Miller (chair), Mr P James and Mr G Casey.

Appearances: Jockey Bradley Stewart appeared on his own behalf.
Mr D Aurisch, deputy chairman of stewards, appeared on behalf of the stewards.

Decision being appealed: Suspension of licence to ride in races for a period of seven meetings – AR137(a).

Appeal result: Appeal dismissed.

Extract of proceedings – in the matter of the Sita Australia Class 6 Plate over 2000 metres at Doomben on 8 November 2014. Jockey: Bradley Stewart

THE CHAIRMAN: Jockey Bradley Stewart was the rider of Shotover River when it participated in the Class 6 Plate over 2000 metres at Doomben race course on Saturday, 8 November. After the start and approaching the finishing post it became apparent to this board that jockey Stewart was looking to his right and was intent on gaining the lead and moved forward and crossed the mount of Jim Byrne when he was not adequately clear.

There seems no doubt to this board that the interference suffered was caused by jockey Stewart in failing to take adequate precautions, and it was careless riding in respect thereto. In the circumstances we are comfortable that the charge has been proved by the stewards and we dismiss the appeal relative to the finding.

The penalty imposed by the stewards was for seven race meetings, and jockey Stewart's view has been and was before this board that whilst there was a crossing and whilst he cut down the line of jockey Byrne, the interference that he caused was of minimal impact and as such he should not have been penalised with a suspension.

The members of this board were cognisant of the fact that the interference did not cause jockey Byrne major inconvenience in that he had to take hold and to reposition his mount. But having said that, it is apparent that the record of jockey Stewart is inadequate in the circumstances. It is a bad record and he has been convicted on a number of other occasions in the preceding 12 months.

In the circumstances it is the opinion of this board that the penalty of seven meetings is a lenient penalty, and the appeal in respect to penalty is also dismissed.

Further right of appeal information: The appellant and the stewards may appeal to the Queensland Civil and Administrative Tribunal (QCAT) within **14 days of the date of this decision**. Information in relation to appeals to QCAT may be obtained by telephone on (07) 3247 3302 or via the Internet at www.qcat.qld.gov.au