

## Appeal decision

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**Hearing Date:** 8 July 2016  
**Decision Date:** 8 July 2016  
**Code of racing:** Thoroughbred

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**Appeal panel:** Mr B. Miller (chair), Mr D. Kays and Mr P. James.

**Appearances:** Mr L. Cassidy appeared on behalf of apprentice jockey J. Orman.  
Mr M. Knibbs, Senior Stipendiary Steward, appeared on behalf of the stewards.

**Decision being appealed:** Suspension of licence to ride in races for a period of 11 days AR137(a).

**Appeal result:** Dismissed. Penalty varied to suspension of licence for 5 days.

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**Extract of proceedings - in the matter of the Queensland Times Winter Provincial Stayers Series BM 80 H'cap – Final – 2150 metres at Ipswich on 18 June 2016: Apprentice jockey J. Orman**

THE CHAIRMAN: We have considered all of the matters. We have taken on board all of the comments made by Mr Cassidy on behalf of apprentice Orman and we have considered the film. There is no doubt that the movement initially by James Orman's mount from the 1 to the 2-wide position is not anything to be complained about. Byrne was riding on a loose rein, as it may be, and his horse was starting to pull. He had moved into a position outside but behind Cahill's mount. Orman saw the opportunity and was attempting to take the position and in doing so he unfortunately overstepped the mark. He pushed Byrne's mount to a 4-wide position which, under the strict interpretation, is a careless situation – it is certainly not improper riding; it is careless riding – and the appeal in respect to the conviction is dismissed.

On the other hand, however, we accept what Mr Cassidy has said about the impeccable record of Mr Orman. There is no doubt that 1100 rides without an offence stands this young man in good stead and obviously he is going to be a senior jockey of some substance in the future. Our view is that, even though it's near the end of the year, he should suffer a penalty, it should not be 11 days, it should be 5 days, and we reduce the penalty to 5 days.

Further right of appeal information: The Appellant and the Steward may appeal to the Queensland Civil and Administrative Tribunal (QCAT) within **28 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](http://www.qcat.qld.gov.au)