

**RACING APPEALS TRIBUNAL  
QUEENSLAND**

**NOTICE OF DECISION**

**APPEAL NO:** RT022-08

**DATE:** 6 August 2008

**APPELLANT:** Tyrone Matthew Huxham

**RESPONDENT:** Queensland Racing

**APPEARANCES:** Tyrone Huxham, appearing for himself, and  
Mr Norm Torpey, Steward, representing Queensland  
Racing.

**REASONS FOR JUDGMENT**

Mr Leo Williams – AO - Chairman

Mr Brockwell Miller - Deputy Chairman

The appellant, Tyrone Huxham, was convicted by the Stewards of Queensland Racing of offending against AR175 and as a result his licence was disqualified for a period of four months. The Appeal in question relates solely to the penalty.

The Stewards took evidence from the appellant and Peter Booth, a track work rider, and Belinda Ross, the foreman for trainer Mick Mair. The rule against which the Appeal has been lodged is Australian Rule of Racing 175(q) which reads:

*The committee of any Club or the Stewards may punish:*

- (q) *Any person who in their opinion is guilty of any misconduct, improper conduct or unseemly behaviour.*

The Stewards determined that the appellant should be charged with improper conduct and particularised that conduct as being:

*That on 27 June 2008 at the Corbould Park Racecourse whilst track work was being conducted, you verbally abused, threatened and physically assaulted track work (sic) P. Booth whilst he was mounted on "Coralious" in the vicinity of exit ramp which leaves the training track.*

There is an issue as to whether during the course of the confrontation the appellant actually poked Mr Booth in the shoulder or attempted to grab him by the shoulder.

Suffice to say however that there was contact.

The evidence supports the suggestion that the horse in question ridden by P Booth was fractious and that Belinda Ross had hold of the rein or was in very close proximity to the horse when the appellant attempted to carry on some form of attack, either be it verbally or physically against rider Booth. There is no doubt that the incident occurred in an area where danger could have befallen both Booth, the horse and Belinda Ross.

The appellant showed remorse for his actions and has, before this Tribunal, repeated that remorse. Notwithstanding his plea that his conduct was something out of the ordinary it is, in the opinion of this Tribunal, most improper for a jockey to act in the manner in which the appellant did and as such this Tribunal is satisfied that there is no ground for the appeal against sentence being either upheld or varied. This Tribunal is anxious to ensure that persons who enter upon a racecourse are afforded proper care and that all persons comply with workplace procedures relative to the health and safety of others. It is apparent that those rules were not adhered to by the appellant in this instance.

This Tribunal orders that the Appeal be dismissed and the deposit be forfeit.

Mr Leo Williams AO  
Chairman

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Mr Brockwell Miller  
Deputy Chairman

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