APPEAL PANEL OF RACING NEW SOUTH WALES

IN THE MATTERS OF THE APPEAL OF
LICENSED JOCKEY HEACELON VAN DER HOVEN

Appeal Panel:	**Mr L Gyles SC – Principal Member;**
	Ms J Folay; Mr C Tuck
Representatives:	**Racing NSW – Mr Moxon**
	Appellant – Mr Crisafi
Date of Decision:	**14 August 2026**

REASONS FOR DECISION

L GYLES SC: Principal Member

The Appellant was charged by the Stewards with careless riding for his ride on *Mighty Ulysses* in Race 7 at Coffs Harbour Races on 7 August 2026. The basis of the charge was that he permitted his mount to shift in when insufficiently clear of *Kaizad,* which was checked as a result. The race was the Coffs Harbour Cup, which *Mighty Ulysses* went on to win. The Appellant was suspended for a period from 17 August 2026 to 23 August 2026, comprising four meetings.

The Appeal was heard on Thursday 13 August 2026. Mr Moxon appeared for the Stewards and Mr Crisafi for the Appellant. The Appellant attended in person.

The Appeal concerned both guilt and penalty and Mr Moxon on behalf of the Stewards sought to maintain the finding of guilt, and the four meeting suspension which had been imposed on the Appellant.

In respect of guilt, Mr Moxon sought to establish that the Appellant had come across to the rail to lead the race, but only left a clearance between his mount and that of Teighan Worsnop of about 1 ¼ lengths which was well short of the required two length clearance. He relied upon the transcript of the Stewards Inquiry which took place after the race, as well as taking the Panel to footage of the race itself. He pointed to certain aspects of the evidence of Teighan Worsnop where she said that the Appellant had come across and "*left her a little short*" and "*was a little bit close*" causing her to have to take an extra hold

as a safety precaution. He also pointed to her acceptance before the Stewards that she had checked her mount as a result of the shift in by the Appellant with an insufficient clearance.

The footage itself was also consistent with the Appellant having misjudged the clearance between he and *Kaizad* and with that horse being checked when the Appellant came across to the rail.

In relation to penalty, Mr Moxon relied upon the careless riding template and submitted that the Stewards' finding that the grade of carelessness was medium, and that the consequence being that *Kaizad* was checked, gave rise to a four meeting penalty when the appropriate discount was given having regard to the Appellant's good record and to his plea of guilty.

Mr Moxon submitted that the Panel would come to the same view in respect of such matters and maintain a four meeting suspension.

Mr Crisafi explained why the Appellant was changing his plea in respect of guilt, which the Panel accepted, and confirmed that the Appellant understood that by doing so he would lose the 10% discount which applies to penalty where there is a guilty plea.

Mr Crisafi sought to persuade the Panel that the charge had not been made out on the evidence. He submitted that a fair reading of the evidence given by Teighan Worsnop before the Stewards was that she had been happy to allow the Appellant's mount to lead in the race and was attempting to control or ease up her mount to allow that to happen prior to the Appellant's mount coming across in front of her. He took us to footage which showed her changing her grip a few strides before the Appellant came across which he submitted is consistent with intention on the part of Tina Worsnop to slow her horse from that point and the reaction of the horse a few strides later when the Appellant moved across to the rail was a consequence of her attempting to achieve that rather than through any interference or impact of the Appellant's horse. Mr Crisafi also submitted that the Panel could come to the view that the additional action taken when the Appellant's horse came across was not necessary or justified.

He further submitted that the two length clearance is a guide only and that the safe clearance could be appropriately reduced from that where the horse on the inside was easing and the horse coming across was making a run.

Mr Crisafi ultimately contended that the Stewards had not made out that the Appellant had failed to come safely across to the rail and that any hinderance or checking of the

inside runner was not caused through any lack of clearance on the Appellant's part. He therefore contended that the Panel should overturn the finding of guilt.

In respect of penalty he submitted that at best there was a very low level of carelessness which would only justify a low grade and that the only consequence of that would have been a hampering or crowding of the inside horse such that would lead to a reprimand only if the template were applied.

The Panel in considering the Appeal has had regard to its primary function in seeking to ensure that jockeys, who already operate in inherently dangerous conditions, are not exposed to additional avoidable and unnecessary risks. The necessity for a clearance in the order of two lengths when coming across in front of another horse is a good example of a protocol which seeks to avoid horses coming into contact, and both horse and jockey being put into a perilous situation. Whilst the Panel accepts that the two length clearance is a guide only, it recognises that it has been used for many years and is well recognised by jockeys as to what is reasonably expected of them to discharge their duty of care to other jockeys.

The Panel having considered Mr Crisafi's careful submissions in respect of guilt, is nevertheless satisfied that the Appellant's mount came within about 1 ¼ of *Kaizad* and caused that horse to be impaired and its running to be checked. This was consistent with the evidence of Teighan Worsnop which the Panel accepts. The Panel therefore confirms the finding of guilt and dismisses the Appeal in that respect.

In relation to penalty, the Panel accepts the submission of Mr Crisafi that the level of carelessness was very low and hence reduces the grade from the medium grade used by the Stewards to calculate the penalty imposed by them. In respect of the consequences of the careless conduct, the Panel is satisfied that *Kaizad* was checked and therefore under the careless riding template one starts with a suspension of five meetings, and reduces it by 30%, which the Stewards accept can then be rounded down to three meetings.

In circumstances where the Appellant has accepted rides at Scone on 17 August 2026, the Panel is prepared under LR107(2)(e) to defer the commencement of the suspension until 18 August 2026 and for it to run up to and including 22 August 2026, with the Appellant to be free to ride on and after 23 August 2026.

In circumstances where the Appellant successfully reduced the period of suspension, the Panel orders that 50% of the penalty deposit can be returned to him.

105 The following Orders are made:

1. The Appeal against guilt is dismissed.
2. The length of the suspension imposed by the Stewards is set aside and the Appellant is suspended in lieu thereof for the period from 18 August 2026 to 22 August 2026, comprising three race meetings.

110 3. 50% of the Appeal deposit may be returned.

14 August 2026