



DECISION ON PENALTY IN RESPECT OF CHARGES ISSUED AGAINST LICENCED JOCKEY MR TROY SEE

Racing NSW Offices

3 February 2023

**Stewards:** S G Railton (Chairman)  
T P Moxon  
J R Johnstone  
K L Campbell

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Racing NSW Stewards today conducted a hearing to determine the matter of penalty in respect of charges issued against licensed jockey Mr. Troy See on Friday 27 January 2023 in relation to his conduct during the Murwillumbah race meeting on Saturday 21 January 2023.

During the course of the Murwillumbah race meeting a random search was conducted by Racing NSW Investigator Mr M. Johnson where a mobile phone was detected in the possession of Mr See whilst present in the jockeys' room.

Stewards considered a Brief of Evidence provided by the Racing NSW Investigation and Surveillance Department. Evidence was taken from Mr See at today's hearing.

The following charges were issued.

**Charge 1 – AR218(4)(b) – possession of mobile telephone in Jockeys' Room**

The details of the charge being that he did, on Saturday 21 January 2023 have in his possession in the jockeys' room at the Murwillumbah Racecourse a mobile phone.

**Plea: Guilty**

**Charge 2 – AR232(c)(i) – refused to obey a direction of the Stewards**

The details of the charge being that he did refuse to obey a reasonable direction of the Stewards who were exercising their powers pursuant to AR22(d), in that:

1. He is a licensed jockey with Racing NSW.
2. On 21 January 2023 he rode *Romantic Thoughts* in Race 3 at the Murwillumbah Race Meeting.
3. During the course of this race meeting Racing NSW Investigator Mr Matthew Johnson located a mobile phone in his possession in the jockey's room at the Murwillumbah racecourse. He participated in an inquiry with Stewards from Racing NSW in connection to an investigation of this matter.
4. During the investigation Stewards used their powers pursuant to AR22(d) and took possession of his mobile phone. He was advised by Stewards that the phone would be retained for examination. The phone was returned to him to write down the contact details he would require while the phone was being examined.

5. After writing down the contact details he left the Steward's room with the phone in his possession. Stipendiary Steward Ms Tara Vanderstok requested that he return to the inquiry room.
6. He refused to do so and continued to walk away from Ms Vanderstok with the phone in his possession. Ms Vanderstok directed that he returned the phone to her, which he refused.

**Plea: Guilty**

**Charge 3 - AR232(c)(ii) - hindered Stewards in exercising their powers and carrying out their duties**

The details of the charge being that he did hinder the Stewards who were exercising their powers pursuant to AR22(1)(a), in that:

1. He is a licensed jockey with Racing NSW.
2. On 21 January 2023 he rode *Romantic Thoughts* in Race 3 at the Murwillumbah Race Meeting.
3. During the course of this race meeting Racing NSW Investigator Mr Matthew Johnson located a mobile phone in his possession in the jockey's room at the Murwillumbah racecourse. He participated in an inquiry with Stewards from Racing NSW in connection to an investigation of this matter.
4. During the investigation Stewards used their powers pursuant to AR22(d) and took possession of his mobile phone. He was advised by Stewards that the phone would be retained for examination. The phone was returned to him to write down the contact details he would require while the phone was being examined.
5. After writing down the contact details he left the Steward's room with the phone in his possession. He walked into the car park and hid under the cabin of a truck. On seeing Racing NSW officials Investigator Mr Matthew Johnson and Stipendiary Steward Ben Watling he walked away from where he was hiding and walked between other trucks where he was stopped by Mr Johnson and Mr Watling. At this time he indicated to those officials that he would not be complying with the Stewards direction and that he was leaving the racecourse.
6. He walked away from both Mr Johnson and Mr Watling where he entered a car with two people in it and left the racecourse with the mobile phone still in his possession.
7. The conduct as described in particulars 5 – 6 amounts to hindering Stewards in exercising their powers and carrying out their duties.

**Plea: Guilty**

**Penalty**

The following penalty considerations were taken into account.

- Early guilty plea to all charges.
- Troy See's licensing history.
- Good disciplinary record.
- Personal and professional circumstances.
- His conduct severely compromised the ability of the Stewards to properly conduct the necessary investigation when there was evidence in respect of betting on his phone.
- Principle of specific and general deterrence and what message is sent to the industry in respect to such conduct.
- Purpose of issuing penalties as a protective measure for the image and interests of the thoroughbred industry.

**Charge 1: AR218(4)(b) – \$500**

**Charge 2: AR232(c)(i) - 18 months disqualification (reduced to 13 months and 2 weeks disqualification for guilty plea and other considerations)**

**Charge 3: AR232(c)(ii) - 30 months disqualification (reduced to 22 months and 2 weeks disqualification for guilty plea and other considerations)**

Having considered the principals of penalty concurrency and totality, the Stewards determined that the penalty for charges 2 and 3 be served concurrently. In total, Troy See was disqualified for a period of 22 months and 2 weeks to commence on 29 January 2023 on which day he was officially stood down by Stewards and to expire on 15 December 2024.

***Relevant Rules***

***AR218(4)(b)***

*(4) Without the permission of the Stewards, a person (including but not limited to a jockey) must not:*

*(b) have in that person's possession in the jockey's room;*

*Any mobile telephone, tablet, radio transmitter or any other appliance, apparatus, instrument or equipment capable of receiving or transmitting information*

***AR232(c)(i)***

*A person must not:*

*(c) while the Stewards are exercising their powers, performing their functions or carrying out their duties:*

*(i) refuse to obey a reasonable direction of the Stewards.*

***AR232(c)(ii)***

*A person must not:*

*(c) while the Stewards are exercising their powers, performing their functions or carrying out their duties:*

*(ii) obstruct, hinder or delay the Stewards in exercising their powers, performing their functions or carrying out their duties*

**S G RAILTON  
CHAIRMAN OF STEWARDS**