

## **Disciplinary Panel of the Jockey Club**

### **Enquiry into Breaches of the Rules of Racing following the running of RED LANCER in the wolverhampton–racecourse.co.uk Selling Stakes at Wolverhampton on 20 October 2003**

On 12, 13 and 14 December 2005, the Disciplinary Panel of the Jockey Club held an enquiry to consider whether or not Shaun Keightley, a licensed trainer, Patrick McCabe, a licensed jockey and Mr Christopher Coleman, Mr Dean Coleman and Mr Neil Yorke (“the respondents”) had committed breaches of the Rules of Racing in connection with the running of RED LANCER in the wolverhampton-racecourse.co.uk Selling Stakes at Wolverhampton on 20 October 2003 (“the race”).

The Panel comprised T M Bell Esq. (Chairman), Mrs J Gillies, M S Lohn Esq.

Mr Mark Warby QC and Miss Anna Coppola instructed by Oliver Codrington appeared on behalf of the Jockey Club.

Mr Louis Weston, instructed by Richard Brooks of Withy King Solicitors appeared on behalf of Patrick McCabe.

Mr Stephen Gilchrist of Saunders Solicitors appeared on behalf of Shaun Keightley.

Christopher Coleman, Dean Coleman and Neil Yorke were neither present or represented.

#### **A Summary**

1. Patrick McCabe was found in breach of Rule 157 in that he deliberately restrained RED LANCER in the stalls with the intention of affecting the result of the race. The Panel imposed a penalty of twenty-eight days suspension, effective from Tuesday 10 January 2006 until Wednesday 8 February 2006, on days when flat racing is scheduled to take place.

2. Shaun Keightley was found in breach of Rules 201(v), 220(i), 155(ii), 220(iv) and 220(viii). In respect of the breach of Rule 201(v) and 220(i) the Panel declared Keightley to be a disqualified person for a period of three years effective from Tuesday 10 January 2006. On the expiry of that three year period the Panel determined that Keightley will remain ineligible to apply for a trainer's licence for a further period of two years. In respect of the breaches of Rules 155(ii), 220(iv) and 220(viii), the Panel imposed a fine of £3,500.

3. Christopher Coleman, Dean Coleman and Neil Yorke were found in breach of Rule 201(v).

Since Christopher Coleman, Dean Coleman and Neil Yorke are already indefinitely excluded from all premises owned or licensed by the Stewards of the Jockey Club, the Panel asked that the Stewards of the Jockey Club note its findings. The Panel further directed that should any of the three individuals ever apply for their exclusion to be lifted, the facts as determined at the hearing, will be taken into account when the Jockey Club considers their request.

## **B Allegations**

The Panel enquired into the following allegations:

### **1. Patrick McCabe**

1.1 Did McCabe commit a breach of Rule 157 in connection with the 2.55pm race at Wolverhampton on 20 October 2003, in that as the Jockey who rode RED LANCER in the said race, he deliberately caused the horse to miss the break at the start of the race by:

- a. restraining the horse in the stalls; and/or
- b. by failing to take all reasonable and permissible measures at the start of the race to ensure that his horse was given a full opportunity to obtain the best possible placing, with the intention of affecting the result of the race.

and/or

1.2 Did McCabe commit a breach of Rule 220(i), in that on or before 20 October 2003 he agreed with Keightley that he would act as described in (1.1) above, and on 20 October 2003 he did so act, knowing or foreseeing as a real possibility that his conduct would assist and intending to assist in the commission of one or more of the following acts:

a. the communication by Keightley to one or more others, for reward, gift, favour or benefit in kind of information about RED LANCER, to the effect that it would not win or be placed in the said race, which was not publicly available or provided for in Appendix N to the Rules (a breach of Rule 243); and/or

b. the commission of a corrupt practice (in breach of Rule 201(v)), namely laying a horse to lose and/or not be placed with the benefit of an illicit advantage over other gamblers in the form of reliable information to the effect that this would occur which was (a) provided by Keightley on the basis of the said agreement; and (b) provided for reward, gift, favour or benefit in kind and/or not publicly available?

## **2. Shaun Keightley**

2.1 Did Keightley at a time on or before 20 October 2003, when the horse RED LANCER was due to run in the 2:55pm race at Wolverhampton, commit a breach of Rule 201(v), in that on or about 20 October 2003, with a view to financial gain for himself and/or others, he instructed the jockey, McCabe, not to ride RED LANCER on its merits in the said race but instead to ride the horse in such a way as to ensure that it would lose and/or not be placed, in the interest of bets laid or to be laid by Christopher Coleman and/or others to win and/or place markets; and/or

2.2 Did Keightley at a time on or before 20 October 2003, when the horse RED LANCER was due to run in the 2:55pm race at Wolverhampton, commit one of the following breaches of the Rules:

a. Rule 243 – in that, being a licensed trainer, he communicated to Christopher Coleman for a material reward, gift, favour or benefit in kind, information about RED LANCER to the

effect that the horse would not win and/or be placed in the race, which was not publicly available or provided for in Appendix N to the Rules;

- b. Rule 220(i) – in that having, as the trainer of RED LANCER, obtained information about RED LANCER which was not publicly available or provided for in Appendix N to the Rules and which made him confident that the horse would not win or be placed in the race, he communicated such information privately to Christopher Coleman knowing or foreseeing as a real possibility that Coleman and/or others associated with Coleman would use the information to commit a corrupt practice in breach of Rule 201(v), namely laying the horse to lose or not to be placed with the benefit of undisclosed inside information that this would occur, and intending to assist in such a practice?
- 2.3 In the event that McCabe is found in breach of Rule 157 is Keightley in breach of Rule 155(ii)?
- 2.4 Did Keightley act in breach of Rule 220(iv) on or between 13 and 20 October 2003 by associating, without the permission of the Stewards of the Jockey Club and in connection with horseracing, with Christopher Coleman, a person known to be excluded under Rule 2(v)(a) from any premises owned, licensed or controlled by the Stewards of the Jockey Club, in that he spoke to Coleman about horseracing matters on or about one or more of the following dates: 13, 14, 15, 16 and 20 October 2003?
- 2.5 Did Keightley act in breach of Rule 220(viii) on 29 March 2004 by endeavouring, by an overt act, to mislead an Official of the Jockey Club in the following respect: namely by telling an Investigating Officer during interview that the purpose of the calls made to Coleman were to discuss suits and his (Keightley's) divorce from his wife when in fact, as Keightley well knew, the purpose of all the calls made on or between 13 and 20 October 2004 was to talk to Christopher Coleman about horseracing?
- 3. Christopher Coleman**
- 3.1 Is Christopher Coleman liable to exclusion under Rule 2(v)(a) on one or both of the following bases:

- a. pursuant to Rule 220(i), in that on or before 20 October 2003 he procured from Keightley for reward, gift, favour or benefit in kind information about the horse RED LANCER which was not publicly available or provided for in Appendix N to the Rules (being information to the effect that the horse would not win or be placed in the 2:55pm race at Wolverhampton on 20 October 2003), and thereby aided and abetted Keightley to act in breach of Rule 243:
- b. pursuant to Rule 201(v), in that on 20 October 2003 he caused his son, Dean Coleman to use the Betfair account of Neil Yorke to lay RED LANCER via Betfair to lose or not be placed in the said race, using information which had been communicated to him privately by Keightley, the trainer of RED LANCER, to the effect that this would occur, knowing (i) Keightley's said role and (ii) that such information had been provided by Keightley for reward, gift, favour or benefit in kind and/or was not publicly available, and was thereby guilty of a corrupt practice?

3.2 Is Christopher Coleman liable to exclusion under Rule 2(v)(a) in that he unreasonably refused or failed to:

- a. agree to be interviewed by the Jockey Club Security Department; and/or
- b. otherwise to co-operate with the Security Department regarding their ongoing investigations into the possibility that serious breaches of the Rules of Racing had been committed in connection with the above-mentioned (and other) races?

#### **4. Dean Coleman**

4.1 Is Dean Coleman liable to exclusion pursuant to Rules 2(v)(a), 201(v) and 220(i) in that on 20 October 2003 he used a Betfair account in the name of Neil Yorke to lay the horse RED LANCER to lose and/or not be placed in the 2:55pm race at Wolverhampton, knowing or foreseeing as a real possibility that his conduct assisted in the commission of a corrupt practice, namely laying a horse to

lose and/or not be placed with the benefit of an illicit advantage over other gamblers in the form of reliable information to the effect that this would occur which was:

- a. provided by a trainer or other individual with inside knowledge; and
- b. provided for reward, gift, favour or benefit in kind and/or not publicly available, and intending to assist in the commission of such a practice?

4.2 Is Dean Coleman liable to exclusion under Rule 2(v)(a) in that he acted in breach of Rule 220(iv) on or about 20 October 2003, by associating without the permission of the Stewards of the Jockey Club and in connection with horseracing, with Christopher Coleman, a person known to be excluded under Rule 2(v)(a) from any premises owned or licensed or controlled by the Stewards of the Jockey Club?

4.3 Is Dean Coleman liable to exclusion under Rule 2(v)(a) in that he unreasonably refused or failed to:

- a. agree to be interviewed by the Jockey Club Security Department; and/or
- b. otherwise to co-operate with the Security Department regarding their ongoing investigations into the possibility that serious breaches of the Rules of Racing had been committed in connection with the above-mentioned (and other) races?

## **5. Neil Yorke**

5.1 Is Neil Yorke liable to exclusion pursuant to Rule 2(v)(a) on the grounds that on and/or before 20 October 2003 he was guilty of a corrupt practice in breach of Rule 201(v) in that, with a view to financial gain for himself and/or others he caused or authorised Christopher Coleman and/or Dean Coleman to use his Betfair account to lay the horse RED LANCER to lose and/or not to be placed in the race it was due to run at Wolverhampton on 20 October 2003, knowing that such bets would be made with the benefit of an illicit advantage over other gamblers in the form of reliable information to the effect that the horse would lose, which was:

- a. provided by a trainer or other individual with inside knowledge; and
  - b. provided for reward, gift, favour or benefit in kind and/or not publicly available
- 5.2 Is Neil Yorke liable to exclusion under Rule 2(v)(a) in that he unreasonably refused or failed to:
- a. agree to be interviewed by the Jockey Club Security Department; and/or
  - b. otherwise to co-operate with the Security Department regarding their ongoing investigations into the possibility that serious breaches of the Rules of Racing had been committed in connection with the above-mentioned (and other) races?

### **C The Evidence**

1. The findings and reasons set out below are intended to express the essence of the Disciplinary Panel's thinking when reaching its decisions on the evidence and arguments presented at the Enquiry and the appropriate level of sanction: they are not an exhaustive recitation of every point that could have been made.

### **The Standard of Proof**

2. The Panel ruled at the pre enquiry hearing on 2 November 2005 that proceedings before the Disciplinary Panel of the Jockey Club are civil in nature and that the standard of proof to be adopted is therefore the civil one.
3. However, the Panel reminded itself, in the course of the enquiry, that the allegations before it are extremely serious and therefore have required credible and compelling evidence when satisfying itself that any of allegations have been made out.

## **Background**

4. The Enquiry concerned the Running and Riding of RED LANCER trained by Keightley and ridden by McCabe in the wolverhampton-racecourse.co.uk Selling Stakes at Wolverhampton on 20 October 2003. The race started at 2.56pm. There were twelve runners in this selling race (No 3, DOCTORED, the anticipated favourite was a non runner). As a result RED LANCER's price on course opened at 6/1 favourite. The price was returned at 13/2. On the Betfair market RED LANCER was trading as low as 4.1 (just over 3/1 in fractional terms) on the evening before the race and as high as 9.2 (just over 8/1 in fractional terms) closer to the time of the off.

## **Unusual Betting Activity**

5. Prior to the race Betfair and others had concerns regarding the betting activity on RED LANCER. The Jockey Club Security Department was alerted to Betfair's concerns before the race. John Gardner from the Security Department informed Mr W Nunneley the Stipendiary Steward on the day of the race by a telephone call at about 1.00pm.
6. The activity that Betfair had monitored was as follows: an account in the name of Neil Yorke had staked a total of £7,178 in the win market for RED LANCER to lose. In addition the Neil Yorke account staked a total of £10,190 in the place market. The combined win and place liability on the account was over £17,000. This was ten times that of the second biggest layer of RED LANCER on Betfair.
7. In addition to the size of these bets, concern was also raised that the odds being offered were well outside the general market range. The maximum price RED LANCER was laid to be placed was 4.5 (7/2 in fractional terms). The horse had been matched at odds of below 4.5 on Betfair's win market on the evening before the race and on the morning of the race yet on the Neil Yorke account it was being laid at a bigger price than this just to finish in the first three. In addition, compared to the on course odds of 13/10 on the place part of the each way bet (2.3 in decimal odds) the Neil Yorke account was offering 4.5 for RED LANCER to be placed. At these odds the Neil Yorke account won £934 when RED LANCER lost and £3,871 as the horse finished unplaced.



## **The Race**

8. In the parade ring prior to the race Mr Nunneley spoke to the trainer, Keightley, and passed on the information he had received from the Security Department. Mr Nunneley had also learnt by this time of a concern that had been expressed to the Editor of the Racing Post to the effect that RED LANCER would not be winning. Keightley told Mr Nunneley he knew nothing about this and said he would tell McCabe to make sure that he did his best as he wanted him to win the race.
9. In the race, RED LANCER missed the break completely at the start. The Panel heard submissions from Keightley and McCabe that RED LANCER was extremely unruly before the start. In contrast, the Panel noted the video of the race which showed RED LANCER standing quietly in the stalls for the 30 seconds before the race started whilst three other horses were loaded into the stalls. At the beginning of the race, RED LANCER dwelt in the stalls for nearly 2 seconds whilst the other horses began to race. RED LANCER was consequently never in contention and finished ninth, beaten by approximately nineteen lengths. Following the race a Stewards Enquiry was held under Rules 155 to 158 into the Running and Riding of RED LANCER. The Stewards noted the explanations provided by Keightley and McCabe.

## **Post Race Investigations**

10. Following the race, Keightley and McCabe were interviewed and asked to, and did disclose information, about telephone calls from their mobile telephones and land lines during the relevant period. In particular, Keightley was asked about a number of calls made by him to a Vodafone mobile number which the Security Department investigations had indicated was used by Christopher Coleman. Keightley confirmed that calls were made to Coleman and that he knew Coleman to be an excluded person. He told investigators that his reasons for calling Coleman were not connected with racing but in connection with the making of a suit (Christopher Coleman being a tailor) and Keightley's impending divorce.
11. Christopher Coleman, Dean Coleman and Neil Yorke were contacted by Jockey Club investigators but declined to assist with the investigation.

12. Subsequent to these investigations the Jockey Club obtained detailed information from Betfair together with relevant computer and telephone records relating to the individuals who formed the subject of this investigation.

### **The Telephone Evidence and the Betting Patterns**

13. The Panel considered that the betting on the Neil Yorke account, both in regard to the timing and the sums of money involved, demonstrated that the laying of this horse was undertaken with the benefit of very reliable information as to the likely performance of RED LANCER. The bets appeared to be laid with a high degree of confidence that they would become good and the considerable risks that had been assumed would not crystallise. The early timing of the betting was unusual for a selling race since the 'market' is usually created about 20 minutes before the start.
14. The Panel examined the record of telephone contact between the parties. Close scrutiny of the betting activity and the timing of the race lead to the irresistible conclusion that the Colemans and Neil Yorke were linked for the purposes of the commission of a corrupt practice with a view to producing a financial gain for themselves.
15. As to the sequence of events, the bets were laid on the Neil Yorke Betfair account online by Dean Coleman using his computer at work. The bets were laid following telephone calls between Dean Coleman and his father, Christopher Coleman. Five calls were made prior to the first bets being laid on 20 October 2003 and three further such calls were made later in the day.
16. After the first of three of these calls, Christopher Coleman then called Neil Yorke at 12.39pm. Having finished this call Christopher Coleman then telephoned Dean Coleman who then used his computer at work to lay the first two bets on the Neil Yorke account a few minutes later at 12.45pm. Further bets were laid on the Neil Yorke account again using Dean Coleman's computer in three bursts of activity between 1.56pm and 2.56pm at the time just prior to the race starting.
17. In respect of the contact between the other parties, the telephone records demonstrated that prior to the day of the race, Keightley was in regular contact with Christopher Coleman via mobile

telephone. In the period 13 to 16 October there were five such conversations recorded. On the day of the race there were four calls made between Keightley and Christopher Coleman. It would appear from the records that Christopher Coleman called Keightley's mobile once at 1.32pm for one second but did not get through. Keightley then rang Christopher Coleman at 1.34pm before the race and twice after the race at 3.37 (immediately after the Stewards Enquiry) and again at 7.33pm.

18. The Panel had the opportunity to hear Keightley give evidence and asked questions of him. They concluded that Keightley had provided reliable inside information when examining both the timings of the conversations between Keightley and Christopher Coleman and the explanations given by him for that communication. They did not find Keightley a credible witness in respect of his assertions that his regular contact with Christopher Coleman was for the purposes of discussing the making of a new suit and divorce proceedings.
19. In making their adverse findings against Keightley the Panel were not persuaded to the requisite standard that he had received financial reward or benefit in kind. Although this was a possible inference the Panel did not feel able to reach this conclusion in the absence of any other cogent supporting evidence.
20. Having concluded that Keightley had passed Christopher Coleman inside information the Panel was left to consider whether Keightley had instructed McCabe to ride RED LANCER in such a way so as to ensure it would be run on its merits.
21. The Committee concluded, having reviewed the video of the race, and the coincidence of the timing of the calls between the parties that Keightley could only have given reasonable reassurance to Christopher Coleman if he knew that McCabe would ensure that RED LANCER would dwell in the stalls and miss the break thereby ensuring the horse was not placed in the race.
22. There was no credible reason for McCabe to act of his own accord taking into account the wider activity which surrounded the running of this race. The Panel, having reviewed the video evidence, believed that McCabe deliberately caused the horse to miss the break with the intention of affecting

the result of the race by restraining the horse in the stalls. In doing so he failed to take all reasonable and permissible measures at the start of the race to ensure that RED LANCER was given a full opportunity to obtain the best possible placing.

23. In making this adverse finding against McCabe, the Panel did not find any evidence to suggest that he knew or had been involved in the wider pattern of corrupt activity regarding this race. The Panel concluded he had been instructed to restrain RED LANCER in the race. Those were McCabe's instructions and he followed them. There was no evidence to suggest he knew why he was being asked to ride in this manner by the trainer. The Panel therefore concluded he had committed a breach of Rule 157.

#### **Christopher Coleman, Dean Coleman and Neil Yorke**

24. None of the non licensed individuals attended the hearing. Throughout the course of the investigation they maintained a stand of silence and non-cooperation with the process. The Panel noted that the non licensed individuals had been notified of the charges and provided with the evidence at the dates for the Enquiry but they chose not to attend.
25. In respect of Christopher Coleman, the Panel noted his evidence to the Crown Court on behalf of the Defendant, Barry Wright, in R v Wright. The evidence was clear and given on oath and uncontested by him when the matter came before the Disciplinary Panel in 2003. This evidence, the Panel felt, demonstrated both propensity and habit on Christopher Coleman's part to purchase inside information from jockeys and others associated with racing.

#### **The Carter Material**

26. The Panel were invited to take note of the material which had been generated by the Carter Enquiry on 28 September 2005. It was established by that Enquiry in eight races that the jockey, Gary Carter, was corrupted by Christopher Coleman who bought inside information from Carter which he, together with Dean Coleman and Neil Yorke, made successful laid bets on Carter's own rides. The Panel agreed to accept the evidence as being relevant to this enquiry.

27. The Panel considered that the communications surrounding the races in the Carter Enquiry demonstrated a striking similarity to the activity surrounding the laying of RED LANCER. Although the Carter material was undoubtedly relevant and probative of a course of conduct, the Panel considered that they would have made their adverse findings against the respondents without knowledge of the Carter material.

## **D Factual Conclusions and Penalties**

### **1. Patrick McCabe**

- 1.1 On 20 October 2003, McCabe committed a breach of Rule 157 in connection with the race, in that as the jockey who rode RED LANCER in the race, he deliberately caused the horse to miss the break at the start of the race with the intention of affecting the result of the race by restraining the horse in the stalls and by failing to take all reasonable and permissible measures at the start of the race to ensure that his horse was given a full opportunity to obtain the best possible placing.
- 1.2 In deciding on the appropriate penalty for McCabe the Panel has reminded themselves that notwithstanding the other evidence before the Panel, it has been determined that McCabe has been found guilty solely of a breach of Rule 157. McCabe falls to be censured in accordance with the ‘Jockey Club Guide to Procedures and Penalties 2003’. In that guidance the penalty for intentionally restraining a horse is 10-21 days. Such a sanction is available to Stewards of meetings should they deem that a horse for whatever reason is being restrained.
- 1.3 In this case there are aggravating and mitigating factors to consider. The Panel has acknowledged to McCabe’s credit that he has made a determined attempt to rehabilitate himself following this episode and is currently working for Mr Roger Charlton, a licensed trainer, whose positive reference was noted. To be balanced against this the Panel has reminded themselves of McCabe’s previous breach of Rule 157 offence in January 2003 when also riding for Keightley; on that occasion he was suspended for 12 days.

1.4 The Panel has therefore determined to impose a penalty of 28 days suspension on McCabe which although outside the upper limit of the recommended range for a this breach of Rule 157 in the 2003 is in their view the proportionate sanction taking into account the facts of the case.

## **2. Shaun Keightley**

2.1 On or before 20 October 2003, when the horse RED LANCER was due to run in the race, Keightley committed a breach of Rule 201(v), in that on or about 20 October 2003, with a view to financial gain for others, he instructed McCabe not to ride RED LANCER on its merits in the race but instead to ride the horse in such a way as to ensure that it would lose and not be placed, in the interests of bets laid or to be laid by Christopher Coleman and others in the win and place markets; and

2.2 On or before 20 October 2003, when the horse RED LANCER was due to run in the race, Keightley as the trainer of RED LANCER committed a breach of Rule 220(i) by aiding and abetting Christopher Coleman and others associated with him to commit a corrupt practice in breach of Rule 201(v). Having obtained information about RED LANCER which was not publicly available or provided for in Appendix N to the Rules and which made Keightley confident that the horse would not win or be placed in the race, he communicated such information privately to Christopher Coleman knowing or foreseeing as a real possibility that Christopher Coleman and others associated with Christopher Coleman would use this undisclosed inside information to lay the horse to lose and not to be placed.

2.3 On or before 20 October 2003, before the horse RED LANCER was due to run in the race, Keightley committed a breach of Rule 155(ii) in that he failed to give or caused to be given to McCabe the necessary instructions to ensure the horse was run on its merits.

2.4 On and between 13 and 20 October 2003 Keightley committed a breach of Rule 220(iv) by associating, without the permission of the Stewards of the Jockey Club and in connection with horseracing, with Christopher Coleman, a person known to be excluded under Rule 2(v)(a) from any premises owned or licensed by the Stewards of the Jockey Club, in that he spoke to Christopher

Coleman about horseracing matters on or about one or more of the following dates: 13, 14, 15, 16 and 20 October 2003.

- 2.5 On 29 March 2004 Keightley committed a breach of Rule 220(viii) in that he attempted to mislead an Official of the Jockey Club in the following respect: namely by telling an Investigating Officer during the course of an interview that the purpose of his telephone calls with Christopher Coleman was to discuss purchasing suits and Keightley's divorce settlement whereas the purpose of the calls made on and between 13 and 20 October 2003 were to discuss horseracing with Christopher Coleman.
- 2.6 The Panel have viewed the case of Keightley very seriously. As a licensed trainer he has been found to have entered into a corrupt arrangement with Christopher Coleman, a person who was well known within the racing industry to have been excluded for dishonest activities. Keightley's actions in passing private information to Mr Coleman and thereafter instructing his jockey to lose a race were corrupt and dishonest. The Panel has determined to impose a severe penalty which they believe is proportionate in the all circumstances
- 2.7 In respect of the breach of Rule 201(v) and 220(i) the Panel has determined that Keightley will be declared a disqualified person for a period of three years. On the expiry of that three year period the Panel has also determined that Keightley will remain ineligible to apply for a trainer's licence for a further period of two years.
- 2.8 In respect of the breaches of Rules 155(ii), 220(iv) and 220(viii) the Panel has determined that Keightley will be fined £3500. The Panel were minded to impose a higher sum but for the fact that Keightley is to be made a disqualified person and will lose his immediate source of income.

### **3. Christopher Coleman**

- 3.1 On 20 October 2003, Christopher Coleman committed a breach of Rule 201(v) in that he conspired to commit a corrupt and fraudulent practice by providing information which enabled his son, Dean Coleman to use the Betfair account of Neil Yorke to lay RED LANCER via Betfair to lose or not be placed in the race on 20 October 2003. That information to the effect that RED LANCER would

lose and not be placed, was not publicly available or provided for in Appendix N to the Rules and had been communicated by Christopher Coleman privately by Keightley.

- 3.2 Since Christopher Coleman is already warned off, the Panel has asked that the Stewards of the Jockey Club note these findings. Should Christopher Coleman ever apply for his exclusion to be lifted the Panel asks that the facts as determined at this hearing are taken into account when considering his request.

#### **4. Dean Coleman**

- 4.1 On 20 October 2003 Dean Coleman committed a breach of Rule 201(v) by conspiring to commit a corrupt and fraudulent practice. Having received information following telephone conversations with his father, Christopher Coleman, he used the Betfair account of Neil Yorke to lay RED LANCER via Betfair to lose or not be placed in the race. That information to the effect that RED LANCER would lose and not be placed, was not publicly available or provided for in Appendix N to the Rules and had been communicated to Christopher Coleman privately by Keightley.
- 4.2 Since Dean Coleman is already warned off, the Panel has asked that the Stewards of the Jockey Club note these findings. Should Dean Coleman ever apply for his exclusion to be lifted the Panel asks that the facts as determined at this hearing are taken into account when considering his request.

#### **5. Neil Yorke**

- 5.1 On 20 October 2003 Neil Yorke committed a breach of Rule 201(v) in that he conspired to commit a corrupt and fraudulent practice. Having received information following telephone conversations with Dean Coleman, his Betfair account was used to lay RED LANCER via Betfair to lose or not be placed in the race on 20 October 2003, using information not publicly available or provided for in Appendix N to the Rules. That information had been communicated to Dean Coleman by Christopher Coleman. Christopher Coleman had received this private information from Keightley, namely that RED LANCER would lose and not be placed.



5.2 Since Neil Yorke is already warned off, the Panel has asked that the Stewards of the Jockey Club note these findings. Should Neil Yorke ever apply for his exclusion to be lifted the Panel asks that the facts as determined at this hearing are taken into account when considering his request.

T. M. Bell Esq

Mrs Jane Gilles

M.S Lohn Lohn Esq.

23 DECEMBER 2005