

IN THE MATTER OF MR PAUL QUINN

**BEFORE THE LICENSING COMMITTEE OF THE BRITISH HORSERACING
AUTHORITY**

75, HIGH HOLBORN, LONDON, WC1V 6LS

WEDNESDAY, 6TH FEBRUARY 2013

RICHARD RUSSELL ESQ.

STEPHEN BATE ESQ. (CHAIRMAN)

RUPERT SWEETING ESQ.

REASONS

1. On 6 February 2013 the Licensing Committee (“the Committee”) met and decided that Mr Paul Quinn (“Mr Quinn”) was a suitable person to hold a Jockey’s licence. These are the reasons for that decision.
2. The hearing was convened pursuant to a referral from the British Horseracing Authority (“the Authority”) under paragraph 30 of Schedule 9, General Manual (A) of the Rules of Racing to consider whether Mr Quinn was a suitable person to hold a licence in view of his conviction for assault at Teesside Crown Court on 21 November 2012 and subsequent sentencing for that conviction on 4 January 2013. Mr Quinn was notified of that referral by the Authority’s letter to him of 25 January 2013.
3. Mr Quinn attended the hearing, represented by Mr Robin Leach of Counsel, instructed by Withy King, solicitors.
4. Mr Quinn was first licensed as a rider on 18 April 1997 and is aged 36. His disciplinary record with the Authority is unexceptional. He is currently licensed to ride as a jockey until 17 March 2013. There was no application by the Authority to suspend or withdraw

his current licence and the issue of his suitability was referred to the Committee in anticipation of an application by him for a renewal of his licence.

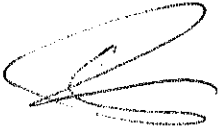
5. The Authority's concerns were notified to Mr Quinn in its letters dated 24 October 2012 and 30 November 2012 by which he was asked to provide details of the criminal proceedings and to explain why he remained a suitable person to continue to hold a Jockey's licence, also bearing in mind 'the wider interests at stake' in racing.
6. Mr Quinn pleaded guilty to a charge of common assault. He supplied to the Authority a written Basis of Plea dated 21 November 2011. It stated that the incident had occurred on 25 November 2011, when he had returned home drunk and had assaulted a Ms. J., his then partner. She sustained injuries to the face and back after an argument during which she had attempted to call her sister on her mobile phone and Mr Quinn had tried to prevent her from doing so. He did not intend to injure her but accepted that his conduct had been reckless.
7. The Authority wrote to Mr Quinn on 20 December 2012 asking him for further information and a written response dated 11 January 2013 was received from Withy King on his behalf.
8. Essentially, it was said that this was an isolated event for which Mr Quinn was genuinely sorry. He had no previous convictions, cautions, reprimands or warnings and his actions were totally out of character. Ms. J. had recently told him that there was no future in their relationship and he had been in love with her.
9. The letter stated that the offence was at the least serious of the list of offences against the person that will be considered by the Crown Prosecution Service; when either there is no jury or the injury is not considered serious. Mr Quinn had accepted responsibility for what he had done, expressed his regret to Ms. J. and was determined that nothing like it would happen again. The Basis of Plea had been accepted by the Prosecution when Mr Quinn was sentenced on 4 January 2013 to a Community Order with a single requirement of 50 hours unpaid work (very close to the bottom of the range for such orders) and ordered to pay compensation of £250. He had been punished for his behaviour and that should be an end of the matter.

10. Withy King queried what the Authority had meant by the expression 'the wider interests at stake', the expression used in the Authority's letter of 30 November 2012. The letter referred to various references attesting to Mr Quinn's good character and concluded that he was a suitable person to hold a licence, despite his conviction.
11. Mr Quinn was asked questions by the Committee. He expressed his remorse for what had happened and understood that his actions had reflected badly on racing. He said that nothing like this had ever happened before, nor would it again if he ever found himself in similar circumstances or in other stressful circumstances.
12. The matters relevant to the suitability of individuals to hold a Jockey's licence are set out in the applicable Guidance Notes, paragraphs 24-29.1 are of particular relevance in this case. The Committee accepted what it had been told by and on behalf of Mr Quinn as to his remorse and determination to see that nothing like this would happen again. It concluded that in all the circumstances Mr Quinn remained a suitable person to hold a Jockey's licence, notwithstanding the circumstances surrounding the offence and his conviction and sentence for it.
13. However, the Committee disagrees with some observations in Withy King's letter of 11 January 2013; in particular, that the conviction should be seen in the same context as a comparatively minor breach of the Rules of Racing¹ and that Mr Quinn has been punished by the criminal court. The Committee is concerned with suitability, not with punishing conduct that breaches the Rules of Racing or is a breach of the criminal law. The Committee is considering the question of whether the licence applicant will conduct himself in accordance with the Rules of Racing during the period to which the licence relates, as well as the wider reputational issues for racing with which the Committee is legitimately concerned. On the evidence before it, the Committee has concluded that a repetition of the violent conduct which brought Mr Quinn before the criminal courts is unlikely.
14. In announcing its decision on the day, the Committee warned Mr Quinn that should anything like the events of November 2011 re-occur, this could have very serious effects on his future in racing. In making these observations, the Committee in no way seeks to fetter the decision-making of any future Committee. However, the reason why the

¹ Rule A32, violent/improper behaviour on the racecourse etc.; for which the entry point is a suspension of 4 days for breaches by jockeys involving violence between riders/trainers.

warning is particularly important is that, quite apart from the serious implications of such conduct, if there were to be a repetition of it, any future assurance which Mr Quinn might give to the Committee as to his future behaviour might carry little conviction.

Dated 4 March 2013

A handwritten signature in black ink, appearing to be 'S. Bate', written in a cursive style.

Stephen Bate

for the Licensing Committee