

11 June 2026 - Enquiry before the Disciplinary Panel of the Channel Islands Horseracing Authority pursuant to Manual (A) Schedule 3

Introduction

1. On 11 June 2026 the Disciplinary Panel of the Channel Islands Horseracing Authority (the **Authority**) held an enquiry pursuant to Schedule (A)3 of the Rules of Racing. The Panel comprised Christa Cuthbert, Chair, Peter Edwards and Ian Ozanne.
2. The enquiry concerned whether Mr James Moon, a licensed trainer, was in breach of Rule (C)35.1 by declaring and running Miss Sparkalot and Joyful Voice at the Jersey Race Club meeting on 26 April 2026 when, it was alleged, those horses were not qualified to run by reason of Rule (E)16.1.
3. The purpose of the hearing was to determine the facts and decide whether the alleged breach had been established and, if so, the appropriate penalty for such breach.
4. The Authority also alleged that Mr Moon had failed to return a requisite response form within the time frame stipulated by Rule (A)38.1.1 and Schedule (A)3 paragraph 4.9.
5. Mr Michael Shenkin appeared at the hearing on behalf of the Authority and Mr Moon represented himself.

The relevant Rules

6. The relevant provisions are as follows:
 - (i) Rule (E)16.1 provides that “where a horse is imported into the Channel Islands to be trained in the Channel Islands, the Export Certificate for the horse must be received by the Authority before the horse may be declared to run in any race under these Rules, and within 90 days of arrival in the Channel Islands.”
 - (ii) Rule (C)35.1 provides that “a Trainer must ensure that he does not declare or run a horse in any race for which it is not qualified under the conditions of the race or under any provision of these Rules.”
 - (iii) Rule (A)38.1.1 (Requirement to co-operate with enquiries) provides that “any Person who receives a notice under Schedule 3 of an enquiry in connection with possible Disciplinary Action being taken against him...must return the form sent to him in accordance with Paragraph 4.9 of Schedule 3,
 - (iv) Schedule (A)3 paragraph 4.9 provides that “at the time that the Authority notifies a Person who is the subject of the enquiry that an enquiry has been convened, and supplies him with particulars of the matters and evidence on which the Authority relies, the Authority will also provide him with a form for completion and that Person must, before the enquiry, complete the form disclosing

- 4.9.1. whether he admits to being in contravention of these Rules (see also Paragraph 10),
 - 4.9.2. whether, and to what extent, he admits the evidence of any statement obtained by the Authority and given to him (this is necessary even if a Person admits to a contravention),
 - 4.9.3. the nature of the case he intends to advance at the enquiry,
 - 4.9.4. the identity of any witness he intends to call together with a summary of their evidence or a copy of their statement, and
 - 4.9.5. the time he estimates he will require to present his case at the enquiry.
- (v) Schedule (A)3 paragraph 4.10 then sets out the timetable by providing that “unless the Authority otherwise determines, the completed form must be delivered to the Authority's Office...before the end of the period of 21 days starting with the date of receipt of the form”.

Evidence and submissions

7. The Panel considered:

- (i) the notice of objection as to placings under Rule (B)70 of Miss Sparkalot and Joyful Voice dated 7 May 2026 (the **Notice**) and served on the Chair and copied to Mr Moon and representatives of the owner of the two horses;
- (ii) the evidence bundle submitted by the Authority on 4 June 2026;
- (iii) submissions of the Authority dated 9 June 2026 and evidence referred to therein; and
- (iv) the oral submissions of Mr Shenkin and Mr Moon to the Panel at the hearing.

8. From the material before us, and from the oral submissions of Mr Shenkin and Mr Moon, the background was as follows:

- (i) Miss Sparkalot and Joyful Voice were imported into the Channel Islands before the Jersey Race Club meeting on 26 April 2026.
- (ii) Mr Moon declared both horses to run at that meeting and both horses did run.
- (iii) The Authority's case was that the export certificates for those horses had not been received by the Authority before declaration or running.
- (iv) Weatherbys confirmed on 5 May 2026 that the export certificates had not been received.
- (v) Mr Moon's position was that he had taken steps with France Galop and Weatherbys to put the paperwork in place, but he accepted, or did not dispute, that the certificates were not in the required place before the horses ran.

9. The Panel noted that Mr Moon had not submitted the response form as requested by the Authority in the Notice and required by Rule (A)38.1.1 and Schedule (A)3 paragraph 4.9. Mr Moon had also failed to file any submissions with the chair or the Authority despite requests to do so.

Preliminary Issue

10. Mr Moon emailed the chair on 10 June 2026 to advise, amongst other things, that he would *“not attend an enquiry relating to any matters where Ian Ozanne is on the panel”...[d]ue to his catalogued abuse of the rules in 2017 which led to [Mr Moon] going to sue the CIRHC*”.
11. The chair replied to Mr Moon on 10 June 2026 asking him, amongst other things, to *“clarify your reasonable objection to Mr Ozanne’s appointment”* in order that the chair could consider the matter, however Mr Moon did not reply.
12. The chair raised the matter with Mr Moon again at the beginning of the hearing asking if he could explain his concerns in order that the Panel could consider however Mr Moon did not wish to expand on his comments made on 10 June 2026.
13. The chair noted that there is UK case law to indicate that apparent bias is specific to the facts of a case and involves ascertaining the facts on which the suggestion of bias is based and then making an objective appraisal of those facts.
14. The leading case remains *Porter v Magill* and requires consideration of *“whether a fair minded and informed observer, having considered the relevant facts, would conclude that there was a real possibility of bias”*. In a sporting tribunal context, the test was applied in *Flaherty v National Greyhound Racing Club Ltd* and *McKeown v British Horseracing Authority*.
15. The Panel considered whether there was any proper basis on which Mr Ozanne should not sit. Mr Moon was invited, both in correspondence and at the outset of the hearing, to identify the facts relied upon in support of his objection. He did not do so beyond the general assertion in his email of 10 June 2026. In the absence of any specific factual basis, the Panel was not satisfied that a fair-minded and informed observer would conclude that there was a real possibility of bias. The Panel therefore determined that Mr Ozanne should remain a member of the Panel and that the enquiry should proceed.

Decision

16. We have considered carefully the written material before us, together with the oral submissions made by Mr Shenkin on behalf of the Authority and by Mr Moon on his own behalf.
17. The relevant factual background is not substantially in dispute. Miss Sparkalot and Joyful Voice were declared to run, and did run, at the Jersey Race Club meeting on 26

April 2026. Both horses had been imported into the Channel Islands. It was therefore necessary, before either horse could be declared to run, for the requirements of Rule (E)16.1 to be satisfied.

18. Rule (E)16.1 is expressed in mandatory terms. It requires that, in the case of a horse imported into the Channel Islands, the relevant export certificate must have been received by the Authority before the horse may be declared to run in any race under the Rules. In our view, that requirement is an objective pre-condition to qualification. The question is not whether steps had been taken to obtain the export certificates, but whether the export certificates had in fact been received by the Authority before the horses were declared to run.
19. We accept that Mr Moon had taken some steps with France Galop and Weatherbys to arrange for the export certificates to be put in place before the meeting on 26 April 2026. We also accept that he was attempting to regularise the position and that this was not a case of deliberate non-compliance.
20. However, the evidence before us establishes that the export certificates had not been received by the Authority before Miss Sparkalot and Joyful Voice were declared to run, or before they ran, on 26 April 2026. In particular, Weatherbys confirmed on 5 May 2026 that the export certificates had still not been received.
21. Rule (C)35.1 places responsibility on the trainer to ensure that a horse is not declared for, or run in, a race for which it is not qualified under the Rules. Mr Moon was reminded of that obligation by the Authority on more than one occasion before the meeting on 26 April 2026.
22. We have considered whether there are any exceptional or extenuating circumstances which would justify a different conclusion. Mr Moon did not identify any such circumstances. We find that the failure to ensure that the export certificates had been received by the Authority before the horses were declared to run was the result of oversight rather than deliberate disregard of the Rules. However, that does not alter the fact that the horses were not qualified to run and that responsibility for declaring and running them rested with Mr Moon as trainer.
23. We therefore find that Miss Sparkalot and Joyful Voice were not qualified to run at the Jersey Race Club meeting on 26 April 2026. We further find that, by declaring and running those horses when they were not qualified to run, Mr Moon was in breach of Rule (C)35.1.
24. The consequence is that Miss Sparkalot and Joyful Voice must be disqualified from the races in which they ran on 26 April 2026, with the consequential amendment of placings and prize money as required under the Rules.
25. We have then considered the appropriate penalty for Mr Moon's breach of Rule (C)35.1. The Panel has had regard to the Authority's submissions and to the recommended penalties set out in the Authority's current Guide to Procedures and Penalties.

26. The Authority submitted that the relevant penalty range is a fine between £500 and £1,000, with an entry point of £1,000. The Authority submitted that the breach is procedural and falls towards the lower end of seriousness and proposed a fine of £750. We agree. We take into account, in Mr Moon's favour, that he had taken some steps to arrange for the export certificates to be provided and that the breach appears to have resulted from oversight rather than any deliberate attempt to evade the Rules and as such a fine below the entry point is appropriate.
27. Against that, the requirement in Rule (E)16.1 is an important safeguard within the regulatory framework for racing in the Channel Islands. It is essential that trainers ensure that horses are properly qualified before they are declared to run. That obligation is particularly important where, as here, the trainer had been reminded of the need to ensure compliance before the meeting.
28. The Authority had offered Mr Moon Fast Track Resolution to this matter with a proposed penalty of £300 fine. The Fast Track Process is intended to promote swift and proportionate resolution of appropriate cases in order to reduce the resources needed and subsequent cost for all involved in such matters before the Disciplinary Panel and the Panel is cognisant of those objectives. Mr Moon did not reply to that offer.
29. Balancing those matters, we consider that a fine of £750 is proportionate. That figure is below the entry point, to reflect the mitigating factors we have identified, but above the minimum penalty, to mark the importance of compliance with the qualification requirements under the Rules.
30. The Panel therefore orders as follows:
- (i) Miss Sparkalot is disqualified from the race in which she refused to race on 26 April 2026;
 - (ii) Joyful Voice is disqualified from the race in which she ran on 26 April 2026, with consequential amendment of placings and prize money as required under the Rules; and
 - (iii) Mr Moon is fined £750 for breach of Rule (C)35.1.
31. We consider those orders to be proportionate and sufficient to mark the breach, to reinforce the importance of compliance with the Rules, and to maintain confidence in the regulatory framework for racing in the Channel Islands.

Procedural matter

32. The Authority also alleged that Mr Moon had failed to return the response form required by Rule (A)38.1.1 and Schedule (A)3 paragraph 4.9.

33. Mr Moon explained at the hearing that he had been under significant pressure managing his business at the start of the Jersey racing season, particularly following the move of his racing operations from France to Jersey, and that he had overlooked returning the form.
34. The Panel regards compliance with procedural requirements as important. Response forms and related documents enable disciplinary enquiries to be managed fairly and efficiently. However, in the particular circumstances of this case, and taking into account that the hearing proceeded effectively and that Mr Moon participated constructively, the Panel does not consider that a separate enquiry or further penalty is necessary.
35. Mr Moon is reminded that future failures to comply with procedural requirements may be treated more seriously.

Christa Cuthbert
Disciplinary Panel Chair
12 June 2026