

## **DECISION OF THE DEPUTY CHAIR**

### **Introduction**

1. This was an interim hearing convened to determine whether the interim race-day exclusion imposed upon Mr James Moon should continue pending determination of the substantive disciplinary proceedings.
2. The hearing was not concerned with determining the substantive allegations arising out of the events of 26 April 2026, nor with making findings of fact in relation to those allegations.
3. The sole question before me was whether continuation of the interim race-day exclusion is presently necessary and proportionate pending the substantive hearing.

### **Material considered**

4. I considered:
  - (a) the Notice of Charge issued by the Authority;
  - (b) the evidence bundle provided by the Authority;
  - (c) the written submissions of Mr Moon;
  - (d) the Authority's written response to those submissions; and
  - (e) the oral submissions made at the hearing.

### **Decision**

5. Having considered all of the material before me, I am satisfied that there is a credible evidential basis for serious allegations which properly require determination by a disciplinary panel.
6. I emphasise that I make no findings as to the truth or otherwise of any allegation. Those matters remain entirely for determination at the substantive hearing.
7. In reaching my decision, I have taken into account the prejudice that continued exclusion may cause to Mr Moon and any consequential effect upon the owners of horses under his care. I accept that attendance at race meetings forms an important part of a trainer's role and that exclusion from race days is a significant measure.
8. Against that, I have considered:
  - (a) the seriousness of the allegations presently before the Authority;
  - (b) the evidence presently available;
  - (c) the continuing dispute between Mr Moon and race officials arising from the events of 26 April 2026;

- (d) the need to ensure that race meetings are conducted in an orderly fashion; and
  - (e) the need to ensure that officials and stewards are able to carry out their duties without the risk of confrontation whilst the allegations remain unresolved.
9. Having balanced those competing considerations, I am satisfied that there remains at present a sufficient risk of further confrontation, and a sufficient risk to the proper administration of race meetings, that some interim measure remains necessary pending the substantive hearing.
  10. However, during the course of the hearing, further information emerged which was not apparent from the written material alone.
  11. Mr Moon confirmed that the six racehorses presently in his care provide his sole source of income. Whilst I make no finding as to the ultimate merits of the allegations against him, I accept that exclusion from race meetings has the potential to affect his livelihood in a manner which is more significant than had previously appeared from the papers.
  12. Mr Moon further explained that he does not presently have available to him employees or representatives who could readily undertake all of the functions ordinarily performed by him on race days, including the transportation of horses to the racecourse and communication with his French jockey.
  13. I also note that, when asked directly what assurance he could give that there would be no confrontation, direct or indirect, between himself and any steward or official, regardless of how strongly he might disagree with them, Mr Moon provided an unequivocal assurance that there would be no such confrontation.
  14. I remain concerned by the level of animosity which plainly continues to exist between Mr Moon and certain race officials. Whilst I accept the assurance given by Mr Moon during the hearing, it is apparent from both the written material and the oral submissions that feelings remain strong and that there remains a risk of further confrontation if no restrictions are imposed pending the substantive hearing. Those concerns are amongst the reasons why I am satisfied that some interim restriction remains necessary.
  15. However, during the course of the hearing, I explored with the parties whether a more limited and targeted restriction might adequately address those concerns whilst also reducing the prejudice that would otherwise be caused to Mr Moon.
  16. I am satisfied that such an approach is available in this case.
  17. Accordingly, I direct that the interim race-day exclusion shall be varied upon the following conditions:
    - (a) Mr Moon shall be permitted to attend race meetings for the limited purpose of transporting, saddling, preparing and overseeing horses under his care;
    - (b) Mr Moon shall park his horsebox in the area outlined in red on the plan annexed to and forming part of this decision or, if that is not reasonably practicable (for instance as a result of the parking of other horseboxes), in such nearby location as may be directed by racecourse officials;

- (c) Mr Moon shall not, at any time during a race meeting, nor during the period of one hour before the commencement of the race meeting and one hour after its conclusion, move more than ten metres from the location at which his horsebox is parked, save as reasonably necessary for the purpose of accessing sanitary facilities;
  - (d) Mr Moon shall not enter the parade ring, the chute, the weighing room or any other area designated by the Authority as being restricted to officials;
  - (e) Mr Moon shall not initiate any communication with any steward or official. However, if any steward or official initiates communication with him, Mr Moon shall respond courteously and cooperate fully with any reasonable request or direction;
  - (f) in the event that any stewards' enquiry concerns a horse under the care of Mr Moon, he shall nominate a representative present at the racecourse to attend such enquiry on his behalf and to communicate any relevant information to the stewards, unless otherwise directed by the stewards;
  - (g) Mr Moon shall comply with the assurance given by him during the hearing that there will be no confrontation, direct or indirect, between himself and any steward or official, regardless of how strongly he may disagree with them; and
  - (h) any alleged breach of these conditions may be referred immediately to the Authority and may give rise to a further application concerning interim measures.
18. In reaching this conclusion, I have attached particular weight to the evidence given by Mr Moon that the six racehorses presently in his care provide his sole source of income and that he does not presently have available to him employees or representatives who could readily undertake all of the functions ordinarily performed by him on race days, including the transportation of horses to the racecourse and communication with his jockey.
  19. I have also attached weight to the unequivocal assurance given by Mr Moon during the hearing that there will be no confrontation, direct or indirect, between himself and any steward or official, regardless of how strongly he may disagree with them.
  20. In my judgment, the conditions set out above strike an appropriate and proportionate balance between the legitimate concerns identified by the Authority and the prejudice that would otherwise be caused to Mr Moon pending determination of the substantive proceedings. I am satisfied that those conditions are sufficient to address the risks which presently justify interim intervention.
  21. The interim race-day exclusion shall not therefore continue in its present form.
  22. In its place, the conditions set out above shall apply to Mr Moon's attendance at race meetings pending determination of the substantive disciplinary proceedings, unless varied by further order of the Deputy Chair or the Disciplinary Panel.
  23. Either party may apply for a variation of these conditions should circumstances materially change before the substantive hearing.

24. For the avoidance of doubt, this decision involves no finding that any allegation has been proved. All issues of fact remain to be determined at the substantive hearing.



Mark Torode – Deputy Chair

29.05.2026