

## APPEAL RESULT

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**DISTRIBUTION:** Chief Executive  
Group Integrity Services  
Group Racing and Group Racing Development  
ARB, ATA, TVN, VJA  
Office of Racing  
T Moxon – National Drug Register  
Racing Press

**FROM:** Registrar – Racing Appeals and Disciplinary Board

**DATE:** 31 October 2014

**SUBJECT:** **APPEAL HEARING RESULT – JOCKEY: NASH RAWILLER**

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**Panel** Judge Russell Lewis (Chair), Mr Geoff Ellis, Mr Chris Fox.

**Appearances** Mr Brad Rawiller appeared on behalf of Mr Nash Rawiller.  
Mr Terry Bailey appeared on behalf of the Stewards.

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At Moonee Valley on Saturday 25 October 2014, jockey Nash Rawiller was found guilty of a charge of careless riding on his mount *Silent Achiever (NZ)* in Race 8 the *Sportingbet Cox Plate* (Group 1, 2040m.)

The careless riding being that after passing the winning post the first time, he permitted his mount to shift in to a point where he was insufficiently clear of *Criterion* resulting in that horse being checked.

Mr Rawiller had his licence to ride in races suspended for a period to commence at midnight on Sunday, 9 November 2014 and to expire at midnight on Friday, 21 November 2014 – a total of 14 race meetings to be served cumulatively with a suspension he incurred in Hong Kong.

In assessing penalty Stewards took into account the incident was in the mid-range.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Monday, 27 October 2014. A stay of proceedings was not requested.

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**DECISION:** **Appeal dismissed.**  
**Penalty to remain standing.**

**TRANSCRIPT OF  
PROCEEDINGS**

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**RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman  
MR G. ELLIS  
MR C. FOX**

**EXTRACT OF PROCEEDINGS**

**DECISION**

**IN THE MATTER OF THE SPORTINGBET COX PLATE  
(GROUP 1) OVER 2040 METRES AT MOONEE VALLEY  
ON 25/10/14**

**JOCKEY: NASH RAWILLER**

**MELBOURNE**

**FRIDAY, 31 OCTOBER 2014**

MR T. BAILEY appeared on behalf of the RVL Stewards

MR B. RAWILLER appeared on behalf of the Appellant

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CHAIRMAN: In this appeal, the Board is satisfied that Nash Rawiller was careless. In the Board's view, Nash Rawiller was attempting to obtain a position one off the rails and in so doing, shifted ground, thereby interfering with McDonald's mount to the extent that McDonald's mount went perilously close to getting Rawiller's heels.

The Board is of the opinion that although McDonald's mount raced ungenerously for a stride or two, his mount's behaviour was not such that it contributed towards the interference, in other words, the sole cause of the interference, and in the Board's opinion, it was Nash Rawiller. The Board believes the carelessness and the level of interference was in the mid-range and the Board sees no reason to interfere with the Stewards' penalty.

The appeal against conviction is dismissed, as is the appeal against penalty.

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