



APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 27 February 2014

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: DARREN GAUCI**

Panel Judge Russell Lewis (Chair), Mr Brian Forrest (Deputy), Mr Stephen Curtain.

Appearances Mr Gauci appeared on his own behalf.
Mr James Hitchcock appeared on behalf of the Stewards.

At Camperdown on Sunday 23 February 2014, jockey Darren Gauci was found guilty of a charge of careless riding on his mount *Miss Zoom* in Race 5 the *Arundell, Murray & Ryan Handicap* (1400m).

The careless riding being that at approximately the 1300m D Gauci failed to make sufficient effort to prevent *Miss Zoom* from shifting in when insufficiently clear of *Griffith Lad* that has been severely checked and blundered, resulting in its rider A Creighton becoming unbalanced and almost dislodged.

Mr Gauci had his licence to ride in races suspended for a period to commence at midnight on Sunday, 23 February 2014 and to expire at midnight on Friday, 7 March 2014 – a total of 14 race meetings (4 metro, 10 provincial).

In assessing penalty Stewards deemed the incident to be in the high range and took into account D Gauci's record and the circumstances of the incident.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Tuesday, 25 February 2014.

A stay of proceedings was granted effective until midnight Wednesday, 26 February 2014.

DECISION: **Appeal against decision dismissed.**
Appeal against severity of penalty allowed.

Penalty varied so that the period of suspension will now expire at midnight on Tuesday, 4 March 2014.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR B. FORREST, Deputy Chairman
MR S. CURTAIN**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE ARUNDELL, MURRAY AND RYAN
HANDICAP OVER 1400 METRES AT CAMPERDOWN ON 23/2/14**

JOCKEY: DARREN GAUCI

MELBOURNE

THURSDAY, 27 FEBRUARY 2014

MR J. HITCHCOCK appeared on behalf of the RVL Stewards

MR D. GAUCI appeared on his own behalf

CHAIRMAN: The Board has had the opportunity of listening to succinct submissions by Mr Hitchcock and by the Appellant, Darren Gauci. The Board is satisfied that Darren Gauci was not riding in a cavalier fashion, without regard to his fellow riders, but nevertheless the Board is of the view that in allowing the horse to proceed as he did, he made an error of judgment before taking sufficient remedial action. Therefore, the Board is of the view that there was carelessness established.

The Board is of the view that the penalty should be varied for the following reasons: first and foremost, the outstanding record of the Appellant, save for one recent suspension. The Board characterises this certainly in the high range but in the lower registers of the high range. Also the Board takes into account the behaviour of the horse which did not respond as one should have expected it to. Those three factors having been taken into account, and taking into account the stay effectively of one day, the Board varies the period of suspension so that it will expire at midnight on Tuesday, 4 March 2014.
