

APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 24 January 2014

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

Panel Judge Russell Lewis (Chair), Mr Stephen Curtain, Mr Ron Taylor.

Appearances Mr Rawiller appeared on his own behalf.
Mr Rob Montgomery appeared on behalf of the Stewards.

At Geelong on Wednesday 22 January 2014, jockey Brad Rawiller pleaded guilty to a charge of careless riding on his mount *Greenedge* in Race 7 the *B&B Aluminium Products Showcase Tour of Victoria BM70 Handicap* (1200m.)

The careless riding being that approaching the winning post he carelessly permitted his mount to shift in when being ridden along, when not sufficiently clear of *Bet You She Rocks* that had to be checked. In issuing the charge Stewards acknowledge that *Gallant Harmony* shifted out marginally, having a minor contribution to the incident.

Mr Rawiller had his licence to ride in races suspended for a period to commence at midnight on Saturday, 25 January 2014 and to expire at midnight on Monday, 3 February 2014 - a total of 10 race meetings (3 metropolitan, 7 provincial).

In assessing penalty Stewards took into account B Rawiller's guilty plea and overall good record, the contributing factor of *Gallant Harmony* and that the careless riding was in the mid-range.

A Notice of Appeal against **the severity of the penalty** was lodged on Thursday, 23 January 2014. A stay of proceedings was not requested.

DECISION: **Appeal allowed.**

Penalty varied so that the period of suspension expires at midnight on Saturday, 1 February 2014 (8 race meetings).

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR S. CURTAIN
MR R. TAYLOR**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE B AND B ALUMINIUM PRODUCTS
SHOWCASE TOUR OF VICTORIAN BM70 HANDICAP OVER
1200 METRES**

JOCKEY: BRAD RAWILLER

MELBOURNE

FRIDAY, 24 JANUARY 2014

MR R. MONTGOMERY appeared on behalf of the RVL Stewards

MR B. RAWILLER appeared on his own behalf

CHAIRMAN: The Board has spent some time in consideration of this matter because of the circumstances surrounding the incident which involve not only Brad Rawiller, also the actions of Yendall and Baster, and whether there was any significant contribution by them which affected the degree of carelessness of Brad Rawiller but also the question of the consequences of his carelessness.

In the end, the Board is of the view that the consequences which flowed from the interference were significant. The Board considers the degree of carelessness to be in about the middle of the mid-range, and taking into account matters which the Stewards conceded and the riding of Yendall and the riding of Baster, the Board considers that there were consequences which contributed towards the interference.

Accordingly, the Board feels that the penalty should be varied so that the suspension should expire at midnight on Saturday, 1 February 2014.
