

## APPEAL RESULT

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

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

**DATE:** 23 January 2013

**SUBJECT:** **APPEAL HEARING RESULT – JOCKEY: RHYS MCLEOD**

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**Panel** Judge Russell Lewis (Chair), Professor Raymond Harbridge, Mr Graeme Ward.

**Appearances** Mr Des O’Keeffe appeared on behalf of Mr McLeod.  
Mr Terry Bailey appeared on behalf of the Stewards.

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At Sandown Hillside on Wednesday 16 January 2013, jockey Rhys McLeod was found guilty of a charge of careless riding on his mount *Donna Madeira* in Race 2 the *Swettenham Stud Dash for Cash* (900m).

The careless riding being that he permitted his mount to shift in approaching the 600m when insufficiently clear of *Sworn Revenge* resulting in *Sworn Revenge* being checked.

Rhys McLeod had his licence to ride in races suspended for a period to commence at midnight on Sunday, 20 January 2013 and to expire at midnight on Sunday, 27 January 2013 - a total of 8 race meetings (2 city, 6 country).

In assessing penalty Stewards took into account R McLeod’s relatively good record and that the incident was in the low range.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Friday, 18 January 2013.

A stay of proceedings was not requested.

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

**Penalty varied – the period of suspension to now expire at midnight on Friday, 25 January 2013 (6 race meetings).**

**TRANSCRIPT OF  
PROCEEDINGS**

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**RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman  
PROF R. HARBRIDGE  
MR G. WARD**

**EXTRACT OF PROCEEDINGS**

**DECISION**

**IN THE MATTER OF THE SWETTENHAM STUD DASH FOR CASH  
OVER 900 METRES AT SANDOWN ON 16/1/13**

**JOCKEY: RHYS McLEOD**

**MELBOURNE**

**WEDNESDAY, 23 JANUARY 2013**

MR T. BAILEY appeared on behalf of the RVL Stewards

MR D. O'KEEFFE appeared on behalf of the Appellant

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CHAIRMAN: This is an appeal against conviction and penalty on a charge of careless riding. The Board is unanimously of the view that there was carelessness on the part of Rhys McLeod. However, the Board feels that in all the circumstances, including the position of the rail and the fact that there is a gap between the end of the false rail and the true rail, that that represents a circumstance which we take into account. We believe the degree of interference was in the lowest registers of the low range which, on the Board's appreciation, is seven to 10 meetings.

So given the circumstances to which I refer and the fact that the interference was in the lower registers of the low range, we accede to Mr O'Keeffe's request. Accordingly, the penalty will be varied so that the suspension expires at midnight on Friday, 25 January 2013.

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