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## **APPEAL DECISION**

### **BRAD RAWILLER and RACING VICTORIA STEWARDS**

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**Date of Hearing:** 23 October 2017

**Heard By:** Judge Bowman (Chair)

**Appearances:** Darren Triandafillou appeared on behalf of the stewards.  
Brad Rawiller appeared on his own behalf.

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At Moe on Thursday 19 October 2017, jockey Brad Rawiller pleaded guilty to a charge of careless riding on his mount *Articus* in Race 7 the *Nextra Moe Cup* (2050m).

The careless riding being that passing the 500 metres he permitted his mount to shift out from behind *Mr Wonderful* where there was insufficient room to do so between that gelding and *Strong Hand* forcing *Strong Hand* out off its rightful running, making contact with that gelding resulting in *Strong Hand* becoming unbalanced.

Brad Rawiller had his licence to ride in races suspended for a period to commence at midnight on Saturday, 21 October 2017 and to expire after the day meeting on Friday, 3 November 2017 – a total of 14 race meetings (2 metro, 12 provincial).

In assessing penalty the Stewards were of the view that the incident qualified for the high-range category of carelessness and took into account his guilty plea and good record.

A Notice of Appeal against **the severity of the penalty** was lodged on Thursday, 19 October 2017. 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 J. BOWMAN, Chairman**

**EXTRACT OF PROCEEDINGS**

**DECISION**

**BRAD RAWILLER**

**and**

**RACING VICTORIA STEWARDS**

**RACING VICTORIA CENTRE, FLEMINGTON**

**MONDAY, 23 OCTOBER 2017**

MR B. RAWILLER appeared on his own behalf

MR D. TRIANDAFILLOU appeared on behalf of the RVL Stewards

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CHAIRMAN: Mr Brad Rawiller, you have pleaded guilty to a charge of careless riding, in that in race 7, the Moe Cup, at Moe racecourse on 19 October 2017, near the 500-metre mark, you permitted your mount, Articus, to shift out from behind Mr Wonderful, ridden by Beau Mertens, where there was insufficient room so to do between that horse and Strong Hand, ridden by Nikita Beriman. It is alleged you have forced Strong Hand off its rightful running, making contact with it and resulting in it becoming unbalanced.

The Stewards considered the carelessness to be in the high range and took into your account your guilty plea and your good record and suspended you for 14 meetings. You are appealing against the severity of that penalty.

I have viewed the video several times. In my opinion, when you shifted out, Nikita Beriman was maintaining her position on your outside. Your horse bumped hers. She appears to have attempted to both maintain her balance and her line, keeping you effectively in a pocket behind Beau Mertens. You persisted in trying to come out and she persisted in trying to maintain her line and hold you in. The resultant interference, particularly to her horse, was quite marked. Both it and she were temporarily unbalanced. Happily, there was no damage to horse or rider or further interference to others in the field. The two of you were running about fourth and fifth in a field of 11.

In my opinion, the responsibility rests entirely with you. Ms Beriman was racing one off the fence on your outside. She was entitled to maintain her line. You effectively attempted to use your horse to bump and push her off that line

which she was entitled to maintain.

In my opinion, this represented a quite high level of interference and could have had nastier consequences. You are not entitled to use your horse to move out and to push her off her line. I note that your good record and guilty plea were taken into account and in my opinion the penalty of 14 meetings imposed by the Stewards was fair and appropriate. The appeal is dismissed.

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