

APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 27 November 2012

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

Panel Judge Russell Lewis (Chair), Mr Geoff Ellis, Mr Bill Kneebone.

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

At Warrnambool on Thursday 22 November 2012, jockey Brad Rawiller was found guilty of a charge of careless riding on his mount *Here de Speaker* in Race 4 the *Nevcon Structural Steel 0-58 Handicap* (1400m).

The careless riding being that approaching the 100 metres Brad Rawiller carelessly permitted his mount to shift out when riding along, when not sufficiently clear of *Hold True* that had to be checked by its rider, Damian Thornton and lost its rightful racing position.

Brad Rawiller had his licence to ride in races suspended for a period to commence at midnight on Sunday, 25 November 2012 and to expire at the end of the Mildura day meeting on Friday, 7 December 2012 – a total of 14 race meetings.

In assessing penalty Stewards deemed the incident to be in the mid range and took into account B Rawiller's poor recent riding record.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Friday, 23 November 2012. A stay of proceedings was not requested.

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

Penalty varied – the period of suspension to now expire at midnight on Friday, 30 November 2012.

Mr Rawiller also fined the sum of \$1,000 – due on or before midnight on Friday, 30 November 2012.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR G. ELLIS
MR W. KNEEBONE**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE NEVCON STRUCTURAL STEEL
0-58 HANDICAP OVER 1400 METRES AT WARRNAMBOOL
ON 22/11/12**

JOCKEY: BRAD RAWILLER

MELBOURNE

TUESDAY, 27 NOVEMBER 2012

MR J. HITCHCOCK appeared on behalf of the RVL Stewards

MR B. RAWILLER appeared on his own behalf

CHAIRMAN: In this case on the evidence presented to the Board on the appeal, the Board is satisfied that the Appellant was guilty of careless riding. However, we are of the opinion that in the circumstances, this is an unusual case and we have come to the view that the degree of carelessness was in the higher registers of the low range. Accordingly, the penalty should be varied to reflect the Board's view.

The Appellant is suspended until midnight, Friday, 30 November, and in addition is fined the sum of \$1000 to be paid on or before that date.
