

APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 12 January 2012

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: EDDIE CASSAR**

Panel Judge Russell Lewis (Chair), Mr Brian Forrest (Deputy), Mr Chris Enright.

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

At Warrnambool on Sunday 8 January 2012, jockey Eddie Cassar was found guilty of a charge of careless riding on his mount *Sound Witness* in Race 2 the *Mickey Bourke's Koroit Hotel Super Vobis Maiden Plate* (1200m).

The careless riding being that after passing the 800 metres he permitted his mount to shift in when not sufficiently clear of *Regal Sanctum*, resulting in *Regal Sanctum* having to be checked.

Eddie Cassar had his licence to ride in races suspended for a period to commence at midnight on Sunday, 8 January 2012 and to expire at midnight on Thursday, 19 January 2012 - a total of 12 race meetings (4 city, 8 country).

In assessing penalty, Stewards took into account that the incident was in the mid-range and Eddie Cassar's good race riding record.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Tuesday, 10 January 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 Monday, 16 January 2012 (9 race meetings).

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR B. FORREST, Deputy Chairman
MR C. ENRIGHT**

DECISION

EXTRACT OF PROCEEDINGS

**IN THE MATTER OF THE MICKEY BOURKE'S KOROIT HOTEL
SUPER VOBIS MAIDEN PLATE OVER 1200 METRES AT
WARRNAMBOOL ON 8/1/2012**

JOCKEY: EDDIE CASSAR

MELBOURNE

THURSDAY, 12 JANUARY 2012

MR J. HITCHCOCK appeared on behalf of the RVL Stewards

MR E. CASSAR appeared on his own behalf

CHAIRMAN: In this case, the Board has considered the submissions of the parties, the films and also the relevant parts of the transcript. We are satisfied that Eddie Cassar, the Appellant, was guilty of careless riding. Accordingly, the appeal against conviction is dismissed.

However, the Board is prepared to find that there were extenuating circumstances in this case, ie, the behaviour of Mr Cassar's horse, in particular shifting in quite suddenly and to some extent taking him by surprise, although he is the man in control. We would be prepared to vary the penalty to a lesser period of suspension. The appeal against penalty is allowed and we will vary the suspension to expire at midnight on Monday, 16 January 2012.
