

APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 31 October 2013

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: BRIAN HIGGINS**

Panel Judge Russell Lewis (Chair), Mr Stephen Curtain, Mrs Claire Quin.

Appearances Mr Des O’Keeffe appeared on behalf of Mr Higgins.
Mr Darren Triandafillou appeared on behalf of the Stewards.

At Pakenham on Tuesday, 29 October 2013, jockey Brian Higgins was found guilty of a charge of careless riding on his mount *Zupberb* in Race 4 the *APM Group Maiden Plate* (1005m).

The careless riding being that passing the 700 metres he permitted his mount to shift in when not sufficiently clear of *A Little Bit Dutch* resulting in J Bayliss, rider of *A Little Bit Dutch*, having to take hold of his mount and lose its rightful position.

Brian Higgins had his licence to ride in races suspended for a period to commence at midnight on Tuesday, 29 October 2013 and to expire at midnight on Friday, 8 November 2013 - a total of 12 race meetings (5 metro, 7 provincial).

In assessing penalty Stewards were of the view that the incident qualified for the mid range category of carelessness and took into account the meetings he will miss at this time of year.

A Notice of Appeal against the severity of the penalty was lodged on Wednesday, 30 October 2013. A stay of proceedings was not requested.

DECISION: **Appeal dismissed. Penalty to remain standing.**

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR S. CURTAIN
MS C. QUIN**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE APM GROUP MAIDEN PLATE
OVER 1005 METRES AT PAKENHAM ON 29/10/13**

JOCKEY: BRIAN HIGGINS

MELBOURNE

THURSDAY, 31 OCTOBER 2013

MR D. TRIANDAFILLOU appeared on behalf of the RVL Stewards

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

CHAIRMAN: The Board is in a position where, in the end, we are not satisfied that we should interfere with the Stewards' decision. The appeal was really based on financial considerations and in Mr Higgins' case, we see no good reason to interfere with the Stewards' decision based on financial considerations, so we dismiss the appeal.
