

## APPEAL RESULT

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

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

**DATE:** 22 July 2015

**SUBJECT:** **APPEAL HEARING RESULT – JOCKEY: DEAN YENDALL**

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**Panel** Judge Russell Lewis (Chair), Mr Brian Forrest (Deputy), Prof Raymond Harbridge.

**Appearances** Mr John Didham appeared on behalf of Mr Yendall.  
Mr Wade Hadley appeared on behalf of the stewards.

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At Mildura on Monday 20 July 2015, jockey Dean Yendall was found guilty of a charge of careless riding on his mount *In The Moment* in Race 5 the *Sunraysia Daily 0-58 Handicap* (1200m.)

The careless riding being that he permitted his mount to shift out over the concluding stages when not sufficiently clear of *Kansha*, which was tightened for room and taken out onto *Mary's Discretion* who in turn was tightened out onto *Nemesis* and as a result of this tightening had to be checked.

Mr Yendall had his licence to ride in races suspended for a period to commence at midnight on Wednesday, 22 July 2015 and to expire at midnight on Friday, 31 July 2015 – a total of 9 race meetings (7 country, 2 metro.)

In arriving at this penalty the stewards deemed the incident to be in the low range and took into account D Yendall's race riding record and also that there was a slight shift inwards from *Nemesis* which was racing to the outside of *Mary's Discretion*.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Tuesday, 21 July 2015.

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

**Penalty varied so that the period of suspension will now expire at midnight on Monday, 27 July 2015 (5 race meetings.)**

**TRANSCRIPT OF  
PROCEEDINGS**

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**RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman  
MR B. FORREST, Deputy Chairman  
PROF R. HARBRIDGE**

**EXTRACT OF PROCEEDINGS**

**DECISION**

**IN THE MATTER OF THE SUNRAYSIA DAILY  
0-58 HANDICAP OVER 1200 METRES AT MILDURA ON 20/7/15**

**JOCKEY: DEAN YENDALL**

**MELBOURNE**

**WEDNESDAY, 22 JULY 2015**

MR W. HADLEY appeared on behalf of the RVL Stewards

MR J. DIDHAM appeared on behalf of the Appellant

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CHAIRMAN: This is an interesting, even difficult case, but in the end, the Board is of the view that Dean Yendall, either being aware or he should have been aware of the proximity of John Allen's mount, failed to take remedial action in time to prevent the interference.

The Board is of the view, however, that this was a low-range incident and falls at the bottom of the low range rather than the top of the low range in terms of culpability. In addition, the Board takes into account Dean Yendall's excellent record, as conceded by the Stewards, and also the contribution from the horse on the extreme outside, ridden by Justin Potter.

In all the circumstances, the Board feels that the appeal against conviction should be dismissed. However, the appeal against penalty should succeed to the point where the penalty is varied, so that the period of suspension, taking into account the matters to which I have averted, should expire on Monday, 27 July 2015 at midnight. That is in effect five days.

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