



APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 24 November 2010

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: MICHAEL RODD**

Panel Judge Russell Lewis (Chair), Mr Stephen Curtain, Mr Ron Taylor.

Appearances Mr Des O’Keeffe appeared on behalf of Mr Rodd.
Ms Heidi Lester appeared on behalf of the Stewards.

At an adjourned inquiry on Monday 22 November 2010, jockey Michael Rodd was found guilty of a charge of careless riding on his mount *Doubt She’s Single* in Race 5 the *VB Gold Fillies & Mares Class 1 Handicap* (1000m) at Seymour on Thursday, 18 November 2010.

The careless riding being that near the 200m he took a run where there was insufficient room between *Keltara* and *Bianbee*, which resulted in *Bianbee* being tightened in onto *Beautiful Buns*, resulting in *Beautiful Buns* being tightened for room, clipping the heels of *Bianbee* and falling.

Michael Rodd has his licence to ride in races suspended for a period to commence at midnight on Wednesday, 24 November 2010 and to expire at midnight on Thursday, 16 December 2010 - a total of 26 meetings.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Monday, 22 November 2010. A stay of proceedings was not requested.

DECISION: Appeal allowed.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR S. CURTAIN
MR R. TAYLOR**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE VB GOLD FILLIES AND MARES
CLASS 1 HANDICAP OVER 1000 METRES AT SEYMOUR
ON 18 NOVEMBER 2010**

JOCKEY: MICHAEL RODD

MELBOURNE

WEDNESDAY, 24 NOVEMBER 2010

MS H. LESTER appeared on behalf of the RVL Stewards

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

CHAIRMAN: This is a case where, although there is evidence of observations by Mr Anselmi prior to him seeing any films, the Board believes that the films are decisive in this case.

The Board is of the view that the Stewards have failed to prove on the balance of probabilities that there was insufficient room when the appellant took the run. Rather, the Board is of the opinion that there was sufficient room for the appellant to take the run, but that thereafter the trouble occurred because the gap closed due to a marginal shift from Pillar on the inside and a greater shift from Nikolic on the outside. Matters then became outside the appellant's control.

Accordingly, the appeal is allowed.

END OF EXTRACT