

RACING APPEALS AND DISCIPLINARY BOARD

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APPEAL DECISION

BRAD RAWILLER

and

RACING VICTORIA STEWARDS

Date of Hearing: 30 August 2016

Heard By: Mr Brian Forrest (Deputy Chair), Mr Darren McGee.

Appearances: Mr Terry Bailey appeared on behalf of the stewards.

Mr Rawiller appeared on his own behalf.

At Caulfield on Saturday 27 August 2016, jockey Brad Rawiller pleaded guilty to a charge of careless riding on his mount *Black Heart Bart* in Race 7 the *New Zealand Bloodstock Memsie Stakes* (1400m).

The careless riding being that near the 1100 metres he permitted his mount to shift in to gain a position one off the fence behind *Rising Romance* and in doing so caused crowding to *Alpine Eagle*, resulting in alpine Eagle being taken in off its course and tightening the running of *Sofia Rosa* and *Prince Of Penzance* (NZ) resulting in *Sophia Rosa* being checked and *Prince of Penzance* hampered.

Stewards ordered that the matter of penalty be set aside for determination after a decision is reached with his pending appeal hearing on Monday 29 August, 2016.

Mr Rawiller's licence to ride in races was subsequently suspended from midnight Saturday, 3 September to midnight Saturday, 10 September 2016 – a total of 7 race meetings.

A Notice of Appeal against the **severity of the penalty** was lodged on Monday, 29 August 2016.

DECISION: Appeal dismissed. Penalty to remain standing.

Georgie Gavin Registrar - Racing Appeals & Disciplinary Board

TRANSCRIPT OF

PROCEEDINGS

RACING APPEALS AND DISCIPLINARY BOARD

MR B. FORREST, Deputy Chairman MR D. McGEE

EXTRACT OF PROCEEDINGS

DECISION

IN THE MATTER OF THE NEW ZEALAND BLOODSTOCK MEMSIE STAKES (GROUP 1) OVER 1400 METRES AT CAULFIELD ON 27/8/16

BRAD RAWILLER

and

RACING VICTORIA STEWARDS

400 EPSOM ROAD, FLEMINGTON

TUESDAY, 30 AUGUST 2016

MR B. RAWILLER appeared on his own behalf

MR T. BAILEY appeared on behalf of the RVL Stewards

DEPUTY CHAIRMAN: This appeal concerns the severity of the penalty imposed on jockey Brad Rawiller in relation to his ride on Black Heart Bart in the Memsie Stakes on Saturday last.

In essence, Brad Rawiller submitted that the interference to which he pleaded guilty should have been assessed in the low range and not as the Stewards assessed, as a mid-range penalty.

The Board is conscious of the obligations and ramifications of penalties leading into the spring carnival. However, the Board is satisfied that the Stewards took into account relevant considerations in assessing penalty as described by Mr Bailey this morning. The Board has come to the conclusion that it does not regard the penalty imposed as unjust or manifestly excessive as would require the Board to impose a lesser penalty. Consequently, the appeal against severity is dismissed.

.Rawiller 30/8/16