



## APPEAL RESULT

---

**DISTRIBUTION:** Chief Executive  
Group Integrity Services  
Group Racing and Group Racing Development  
VJA  
TVN  
Office of Racing  
C Polglase – Racing NSW  
Racing Press

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

**DATE:** 2 March 2011

**SUBJECT:** **APPEAL HEARING RESULT – APPRENTICE JOCKEY: JACOB RULE**

---

**Panel** Judge Russell Lewis (Chair), Mr Joshua Bornstein, Mr Bill Kneebone.

**Appearances** Mr Rule appeared on his own behalf.  
Mr Corie Waller appeared on behalf of the Stewards.

---

At Donald on Sunday 27 February 2011, apprentice jockey Jacob Rule was found guilty of a charge of careless riding on his mount *Can Do* in Race 5 the *Telstra Store Horsham 0-72 Handicap* (1200m).

The careless riding being that near the 800m he allowed his mount *Can Do* to shift inwards when insufficiently clear of *Zedawind*, taking that mare inwards onto *Scaredymac* resulting in *Tolka Polka*, which was racing to *Scaredymac*'s inside, being placed in restricted room and having to be checked.

Jacob Rule had his licence to ride in races suspended for a period to commence at midnight on Tuesday, 1 March 2011 and to expire at midnight on Tuesday, 8 March 2011 – a total of 8 race meetings (3 metropolitan, 5 country). In assessing penalty Stewards took into account Jacob Rule's record and deemed the incident to be in the low range.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Monday, 28 February 2011. A stay of proceedings was not requested.

---

**DECISION:** Appeal against decision dismissed.

**Penalty varied – period of suspension to now expire at midnight on Saturday, 5 March 2011 (5 meetings).**

**TRANSCRIPT OF  
PROCEEDINGS**

---

**RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman  
MR J. BORNSTEIN  
MR W. KNEEBONE**

**EXTRACT OF PROCEEDINGS**

**DECISION**

**IN THE MATTER OF THE TELSTRA STORE HORSHAM HANDICAP  
0-72 HANDICAP OVER 1200 METRES AT DONALD ON 27/2/11**

**APPRENTICE JOCKEY: JACOB RULE**

**MELBOURNE**

**WEDNESDAY, 2 MARCH 2011**

MR C. WALLER appeared on behalf of the RVL Stewards

MR J. RULE appeared on his own behalf

---

CHAIRMAN: In this appeal, the Board is of the opinion that the Appellant failed to take reasonable measures to ensure that in coming across, he would not interfere with inside runners, particularly as the field was approaching the turn. Nevertheless, the Board is also satisfied that Kane Post contributed to the resultant interference. Accordingly, the appeal against conviction is dismissed.

On the question of penalty, the Board takes into account, as the Stewards did, the good record of Jacob Rule, but also takes into account Post's contribution.

#### DISCUSSION

The best the Board can do in relation to the question of penalty is to vary the penalty so that the suspension expires at midnight on Saturday, 5 March 2011.

**END OF EXTRACT**