

## 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:** 12 September 2014

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

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**Panel** Judge Russell Lewis (Chair), Mr Geoff Ellis, Dr June Smith.

**Appearances** Mr Rule appeared on his own behalf, assisted by Mr Des O’Keeffe.  
Mr James Hitchcock appeared on behalf of the Stewards.

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At Warrnambool on Monday 8 September 2014, jockey Jacob Rule was found guilty of a charge of careless riding on his mount *Majestic Eclipse* in Race 6 the *Grahams Cleaning Supplies Maiden Plate* (1200m.)

The careless riding being that approaching and passing the 800m, J Rule carelessly permitted *Majestic Eclipse* to shift in when not sufficiently clear of *Hayjaywalk* and *Queen Invader* that have been steadied by their respective riders D Thornton and J Darose. After passing the 800m J Rule continued to carelessly permit *Majestic Eclipse* to shift in when not sufficiently clear of *A Million Tears*, crowding that mare that has been checked by its rider B Melham as a consequence.

Mr Rule had his licence to ride in races suspended for a period to commence at midnight on 10 September 2014 and to expire at midnight on 22 September 2014 – a total of 12 race meetings (2 metro, 10 provincial.)

In assessing penalty Stewards deemed the incident to be in the mid range.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Wednesday 10 September 2014.

A stay of proceedings was not requested.

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

**TRANSCRIPT OF  
PROCEEDINGS**

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**RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman  
MR G. ELLIS  
DR J. SMITH**

**IN THE MATTER OF THE GRAHAMS CLEANING SUPPLIES  
MAIDEN PLATE OVER 1200 METRES AT WARRNAMBOOL  
ON 8/9/14**

**JOCKEY: JACOB RULE**

**MELBOURNE**

**FRIDAY, 12 SEPTEMBER 2014**

MR J. HITCHCOCK appeared on behalf of the RVL Stewards

MR J. RULE (assisted by Mr D. O'Keeffe) appeared on his own behalf

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CHAIRMAN: In this appeal, the Board takes the view that whatever the cause of the interference to Jade Darose and Damien Thornton's mount was, the interference was subsumed by the significantly greater incident involving Ben Melham's mount. The fact is that the Appellant crossed Ben Melham's mount when he was not sufficiently clear. He did so because he failed to appreciate where Ben Melham's mount was relative to his mount. The degree of carelessness and the consequences of the interference justify a finding of mid-range level.

The remaining question is whether the penalty should be reduced because of mitigating circumstances. Due regard was had by the Stewards to the Appellant's good record. The remaining issue is whether the interference to Melham's mount was significantly contributed to by the greenness of the Appellant's mount. Having seen the films, the Board is not of the view that the horse's racing manners contributed in any significant way to the interference and, accordingly, the appeal is dismissed.

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