

## APPEAL RESULT

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

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

**DATE:** 23 May 2011

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

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**Panel** Judge Russell Lewis (Chair), Mr Chris Enright, Mr Jeremy Rosenthal.

**Appearances** Mr Sam Hyland appeared on behalf of Mr Holland.  
Mr Peter Ryan appeared on behalf of the Stewards.

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At Seymour on Monday, 16 May 2011 jockey Dean Holland was found guilty of a charge of careless riding on his mount *Glenkinchie* in Race 4 the *Parker Bros. Earthmoving 0-58 Handicap* (1009m).

The careless riding being that he permitted his mount to shift in near the 200m when not sufficiently clear of *Kwaito* which resulted in that mare having to be checked.

Dean Holland had his licence to ride in races suspended for a period to commence at midnight on Monday, 16 May 2011 and to expire at midnight on Wednesday, 25 May 2011 - a total of 9 race meetings (3 metropolitan, 6 provincial). In arriving at this penalty Stewards took into account Dean Holland's relatively good record and viewed the interference to be in the low range.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Tuesday, 17 May 2011.

A stay of proceedings was granted effective until midnight Sunday, 22 May 2011.

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**DECISION:** **Appeal against decision dismissed.**

**Appeal against severity of penalty allowed – the penalty varied so that the period of suspension will now expire at midnight on Friday, 27 May 2011.**

**TRANSCRIPT OF  
PROCEEDINGS**

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**RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman  
MR C. ENRIGHT  
MR J. ROSENTHAL**

**EXTRACT OF PROCEEDINGS**

**DECISION**

**IN THE MATTER OF THE PARKER BROS EARTHMOVING  
0-58 HANDICAP OVER 1009 METRES**

**JOCKEY: DEAN HOLLAND**

**MELBOURNE**

**MONDAY, 23 MAY 2011**

MR P. RYAN appeared on behalf of the RVL Stewards

MR S. HYLAND appeared on behalf of the Appellant

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CHAIRMAN: In the Board's opinion, the appeal against conviction borders on the frivolous in this matter. There is clear evidence that Dean Holland was not aware that Culliver was behind him and on his inside. There is clear evidence that Holland shifted and kept riding. The film shows that Holland's mount shifted to the extent that Culliver was required to significantly ease his mount. Whether this could be described as a check or grabbing hold is not to the point.

The Board is of the view, however, that the degree of carelessness was in the lower register of the low range of offences and accordingly is prepared to reduce the penalty imposed. The end result is that the appeal against conviction is dismissed. The appeal against penalty is allowed and varied so that the suspension will expire at midnight on Friday, 27 May 2011.

**END OF EXTRACT**