



APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 14 June 2011

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: BRAD RAWILLER**

Panel Judge Russell Lewis (Chair), Mr Darren McGee, Mr Ron Taylor.

Appearances Mr Rawiller appeared on his own behalf.
Mr Robert Cram appeared on behalf of the Stewards.

At Ballarat on Sunday, 5 June 2011 jockey Brad Rawiller was found guilty of a charge of under the provisions of AR 87D, in that he was in possession of a modified safety vest, and was fined the sum of \$1,000.

A Notice of Appeal against **the severity of the penalty** was lodged on Wednesday, 8 June 2011.

DECISION: Appeal allowed – conviction recorded, without penalty.

TRANSCRIPT OF PROCEEDINGS

RACING APPEALS AND DISCIPLINARY BOARD

**JUDGE RUSSELL LEWIS (CHAIRMAN)
MR D MCGEE
MR R TAYLOR**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF: BRAD RAWILLER – APPEAL AGAINST
SEVERITY OF PENALTY, AR87D**

MELBOURNE

TUESDAY, 14 JUNE 2011

MR R CRAM appeared on behalf of the Stewards

Mr B RAWILLER appeared on his own behalf.

CHAIRMAN: Thank you Mr Cram. Yes, in this case the Board finds that the appellant, Brad Rawiller, is a credible and honest witness.

The Board finds that on the 29th May at Cranbourne, Brad Rawiller was at all times wearing the vest which was the subject of the tender in this case. The Board is satisfied that the subject vest has been modified contrary to the rules, but that the Board accepts that Brad Rawiller had no knowledge that the vest had been modified.

Further, the Board finds that Brad Rawiller was entitled to conclude that on at least one previous and recent occasion, a Steward had examined the subject vest and had given at least tacit approval to Brad Rawiller wearing the same.

In the circumstances, the Board convicts the appellant under rule AR87D, but no penalty is applied.

MR RAWILLER: Thank you.

CHAIRMAN: In other words, conviction recorded, no penalty.

MR RAWILLER: Thank you very much Sir.

CHAIRMAN: Thank you.

END OF EXTRACT