

## APPEAL RESULT

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**DISTRIBUTION:** Chief Executive  
Group Integrity Services  
Group Racing and Group Racing Development  
VJA  
TVN  
Office of Racing  
T Moxon – National Drug Register  
Racing Press

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

**DATE:** 22 October 2013

**SUBJECT:** **APPEAL HEARING RESULT – JOCKEY: RHYS MCLEOD**

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**Panel** Judge Russell Lewis (Chair), Mr Geoff Ellis, Professor Raymond Harbridge.

**Appearances** Mr Peter Jurkovsky appeared on behalf of Mr McLeod.  
Mr Terry Bailey appeared on behalf of the Stewards.

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At Caulfield on Saturday 19 October 2013, jockey Rhys McLeod was found guilty of a charge of careless riding on his mount *Ethiopia* in Race 10 the *BMW Caulfield Cup*.

The careless riding being that approaching the winning post on the first occasion, he permitted his mount to shift in when insufficiently clear of *Hawkspur* resulting in *Hawkspur* being checked severely.

Mr McLeod had his licence to ride in races suspended for a period to commence at midnight on Friday, 25 October 2013 and to expire at midnight on Tuesday, 5 November 2013 – 12 race meetings (4 metro, 8 provincial) and is to be served cumulatively with the suspension incurred at Cranbourne on Friday, 18 October 2013.

In assessing penalty Stewards took into account the careless riding was in the mid-range and the meetings he will miss.

A Notice of Appeal against the severity of the penalty was lodged on Monday, 21 October 2013. A stay of proceedings was not requested.

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**DECISION:** **Appeal allowed.**

**The Board ordered that the period of suspension be partially cumulative with the suspension imposed at Cranbourne on 18 October 2013.**

**That is, the penalty is varied so that the period of suspension will now expire at midnight on Sunday, 3 November 2013.**

**TRANSCRIPT OF  
PROCEEDINGS**

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**RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman  
MR G. ELLIS  
PROF R. HARBRIDGE**

**EXTRACT OF PROCEEDINGS**

**DECISION**

**IN THE MATTER OF THE BMW CAULFIELD CUP OVER  
2400 METRES AT CAULFIELD ON 19/10/13**

**JOCKEY: RHYS McLEOD**

**MELBOURNE**

**TUESDAY, 22 OCTOBER 2013**

MR T. BAILEY appeared on behalf of the RVL Stewards

MR P. JURKOVSKY appeared on behalf of the Appellant

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CHAIRMAN: In this appeal, the Board believes that the Stewards took into account relevant matters which were before them. However, the Board, having heard the financial situation of Mr McLeod, is of the view that the period of suspension imposed by the Stewards for the Caulfield Cup incident should be reduced, not because of the fact that the carelessness was not proved or not serious, but because matters personal to Mr McLeod should be taken into account and those matters were not available before the Stewards at the time.

In the circumstances, the penalty imposed by the Stewards is reduced from 12 meetings to 10 which is to be served cumulatively upon the previous period of suspension, so that the new period of suspension will expire at midnight on Sunday, 3 November 2013.

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