



## APPEAL RESULT

---

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

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

**DATE:** 4 April 2016

**SUBJECT:** **APPEAL HEARING RESULT – APPRENTICE: KYLE MASKIELL**

---

**Panel** Judge Bowman (Chair).

**Appearances** Mr Corie Waller appeared on behalf of the stewards.  
Mr Des O’Keeffe appeared on behalf of Mr Maskiell.

---

At Stawell on Sunday 27 March 2016, apprentice jockey Kyle Maskiell was found guilty of a charge of careless riding on his mount *Gold for Kev* in Race 7 the *Kings Cars BM64 Handicap* (1300m).

The carelessness being that near the 50m he permitted his mount to shift inwards when insufficiently clear of *Holy Heart*, dictating the line of that runner inwards, which in turn took that runner in onto *Invincible Me*, which in turn was taken in onto *Our Dexter*. As a result *Holy Heart*, *Invincible Me*, and *Our Dexter* were all severely crowded for room having to be checked (with note that *Invincible Me* was severely checked). Stewards did concede that *Topography* (B. Rawiller) had contributed to the incident by shifting out making contact with *Our Dexter*.

Mr Maskiell had his permit to ride in races suspended for a period to commence at midnight on Monday, 28 March 2016 and to expire at midnight on Friday, 8 April 2016 – a total of 15 race meetings (2 metro, 13 provincial).

In assessing the matter Stewards took into account K. Maskiell’s record, circumstances and aforementioned contribution from B. Rawiller on *Topography*. Further the incident was deemed to be in the high range.

A stay of proceedings was not requested.

---

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

**TRANSCRIPT OF  
PROCEEDINGS**

---

**RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE BOWMAN, Chairman**

**EXTRACT OF PROCEEDINGS**

**DECISION**

**IN THE MATTER OF THE KINGS CARS BM64 HANDICAP  
OVER 1300 METRES AT STAWELL ON 27/3/16**

**APPRENTICE JOCKEY: KYLE MASKIELL**

**MELBOURNE**

**MONDAY, 4 APRIL 2016**

MR C. WALLER appeared on behalf of the RVL Stewards

MR D. O'KEEFFE appeared on behalf of the Appellant

---

CHAIRMAN: Mr Kyle Maskiell has pleaded guilty to a charge of careless riding, it being alleged that in race 7 at Stawell on 28 March last, his mount, Gold For Key, interfered with Holy Heart, ridden by Alan Creighton, which resulted in interference to Invincible Me, ridden by Dean Yendall, and Our Dexter, ridden by Jordan Childs. The inside horse, Topography, ridden by Brad Rawiller, was also involved.

The incident occurred over approximately the last 50 metres of the race. The stewards assessed the incident as falling into the high range of carelessness of interference and imposed a penalty of a suspension of 15 meetings.

I have read the transcript and viewed the patrol videos. I have also heard the very useful submissions of both Mr Waller for the Stewards and Mr O'Keeffe for Mr Maskiell.

I am of the view that the interference was quite severe and it is fortunate that there was no fall. Whilst Brad Rawiller might be a little lucky not to have been charged because his mount did move out, I am of the view that the bulk of the trouble was caused by Mr Maskiell's horse running in, and I agree that he continued to ride the horse out for a couple of strides after the initial contact with Alan Creighton's mount had occurred. A domino effect resulted, with Dean Yendall's mount being grossly interfered with and Alan Creighton's mount also suffering substantial interference. I am not of the view that Jordan Childs' mount has made any major contribution to what occurred.

This was severe interference primarily caused by Mr Maskiell's mount and his failure to straighten it after the commencement of that interference. I am of the view that the interference was in the high range.

I am all for encouraging apprentice riders. Mr Maskiell has been noticeably successful riding here, in addition to in his native state of Tasmania. His winning rate, in addition to his riding record, has been very good and I hope that he will be successful in relation to his intention to transfer his indentures to this state. I also appreciate that he is 16 years of age.

However, the penalty imposed for this offence seems to me to be appropriate, given the interference that resulted, even after taking into account the factors which I have mentioned. The appeal is dismissed.

---