

## APPEAL RESULT

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**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:** 21 March 2016

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

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**Panel** Judge Bowman (Chair), Mr Brian Forrest (Deputy), Mr Josh Bornstein (Deputy).

**Appearances** Mr Corie Waller appeared on behalf of the stewards.  
Mr Rawiller appeared on his own behalf, assisted by Mr Des O’Keeffe.

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At Ballarat on Tuesday 15 March 2016, jockey Brad Rawiller was fined \$400 for a breach of AR 137A(5)(a)(ii) which states that:

*AR 137A(5) - Subject to the other requirements of this rule: (a) In a race, official trial or jump-out prior to the 100 metre mark; (ii) the whip shall not be used on more than 5 occasions.*

The particulars of the charge being that Mr Rawiller used his whip 7 times prior to the 100 metre mark on his mount *Proclamation* in Race 6 the *Hygain BM64 Handicap* (2200m).

In assessing penalty Stewards took into account Mr Rawiller’s good record.

A Notice of Appeal against **the severity of the penalty** was lodged on Thursday, 17 March 2016.

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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 BOWMAN, Chairman  
MR B. FORREST, Deputy Chairman  
MR J. BORNSTEIN, Deputy Chairman**

**EXTRACT OF PROCEEDINGS**

**DECISION**

**IN THE MATTER OF THE HYGAIN BM64 HANDICAP  
OVER 2200 METRES AT BALLARAT ON 15/3/16**

**JOCKEY: BRAD RAWILLER**

**MELBOURNE**

**MONDAY, 21 MARCH 2016**

MR C. WALLER appeared on behalf of the RVL Stewards

MR B. RAWILLER appeared on his own behalf, assisted by Mr D. O'Keeffe

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CHAIRMAN: Mr Brad Rawiller has appealed against the severity of the penalty, a fine of \$400 imposed on him by Stewards following the running of race 6 at Ballarat on 15 March 2016, the penalty being imposed in relation to excessive use of the whip.

Mr Rawiller admits breaching Rule 137A(5), in that he struck his mount seven times prior to the 100-metre mark and that is two over and above the permissible number of strikes. The main thrust of his argument relates to consistency of penalty. We have borne in mind Mr Rawiller's record since the new rule came into force and the fact that he is a highly experienced jockey, is extremely popular and rides a very large number of horses. However, that is something of a double-edged sword. Highly experienced and successful jockeys are expected to be role models to up-and-coming jockeys.

We are of the view that the penalty imposed is not unreasonable. It seems to us to be in accordance with the range of penalties imposed on jockeys, bearing in mind that circumstances will vary from race to race and from time to time. The appeal is dismissed.

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