

Appeal decision

Date: 21 April 2015

Code of racing: Thoroughbred

Appeal panel: Mr B. Miller (chair), Mr P. James and Mr G. Casey.

Appearances: Mr M. Tutt, solicitor, appeared on behalf of jockey B. Grylls.
Mr D. Aurisch, Deputy Chief Steward Thoroughbred, appeared on behalf of the stewards.

Decision being appealed: Suspension of licence to ride in races for a period covered by 6 meetings - AR137(a).

Appeal result: Upheld.

Extract of proceedings – in the matter of the Wimmers Premium Soft Drinks Class 1 Handicap over 1800 metres at the Sunshine Coast on 22 March 2015. Jockey: B. Grylls

THE CHAIRMAN: The tribunal has considered the material that has been placed before us. We have looked at the transcript as we indicated. Bridget Grylls was the rider at the relevant time of a mount that was racing in what seemed to be from the film a 4-wide position. The question is whether or not she contributed to, caused or was an aggravating factor in interference suffered by apprentice Fancourt.

It seems to members of this Board that one of the significant features has been the riding of Tim Bell, who seems to have made his intentions quite plain that he was going to come across regardless of whether he was 2 lengths clear of rider Wiggins. Wiggins took hold. He did so without causing himself significant interference. He does touch the mount of apprentice Fancourt and the questions for us to determine is whether the interference Fancourt suffered is one instigated by apprentice Grylls.

Mr Tutt asked us to look closely at all the material and particularly identify that any benefit of the doubt must be given to Grylls because, as he puts it so eloquently, there is nothing in the evidence that would lead one to the contention that Grylls had anything to do with that interference.

This Board is frankly of a like mind. It does not believe that Grylls was the instigating factor. She may have been a very insignificant factor involving Fancourt and, to another degree,



Hearne being somewhat inconvenienced, but we don't believe it is warranted to visit upon her a penalty or a conviction and we uphold the appeal.

Further right of appeal information: The appellant and the stewards may appeal to the Queensland Civil and Administrative Tribunal (QCAT) within **14 days of the date of this decision**. Information in relation to appeals to QCAT may be obtained by telephone on (07) 3247 3302 or via the Internet at www.qcat.qld.gov.au

