

14 February 2020

DECISION

HARNESS RACING VICTORIA

and

MR RODNEY PETROFF

Date of hearing:	13 February 2020
Panel:	Judge John Bowman (Chairperson), Judge Graeme Hicks (Deputy Chairperson) and Mr Greg Childs
Appearances:	Mr Brett Day appeared on behalf of the Stewards. Mr Lance Justice appeared on behalf of Mr Petroff.
Charge:	Australian Harness Racing Rule 163 (1)(a)(iii) states "A driver shall not (a) cause or contribute to any (iii) interference".
Particulars of charge:	The particulars of the charge being that Rodney Petroff, driver of Ymbro Wasted, was found guilty of a charge under rule 163(1)(a)(iii) for causing interference in that approaching the first turn he permitted Ymbro Wasted to shift in tightening Aleppo Murphy in onto Fratellino NZ which contacted marker pegs after contact between Aleppo Murphy and Fratellino NZ resulting in Fratellino NZ breaking as a consequence. In assessing penalty Stewards took into account the relevant considerations as outlined with the <i>HRV Stewards Minimum Penalty Guidelines</i> placing particular weight on the low degree of interference and carelessness involved. Stewards accordingly imposed a 2 week suspension of Mr Petroff's licence to drive in races with the commencement date to be advised.
Plea:	Not Guilty

DECISION

Mr Rodney Petroff, you have pleaded 'not guilty' to a breach of AHRR 163 (1)(a)(iii). You were the driver of Ymbro Wasted in Race 7 at Tabcorp Park, Melton on 14 December 2019. It is alleged that you permitted your horse to shift in, tightening Aleppo Murphy, driven by John

Caldow, on to Frantellino, driven by Connor Ronan, which raced inside the line of the marker pegs, prior to contact of the sulkies and causing Fratellino to break as a consequence. This occurred in the vicinity of the first turn.

We have viewed the video many times. We also have had the benefit of the submissions of the stewards, advanced by Mr Day, and the submissions on your behalf made by Mr Justice.

In our opinion, the charge has been made out. We are of the view that shortly after the start and in the vicinity of the turn out of the straight, you moved towards Mr Caldow's horse when not sufficiently clear of it, and not the distance clear of it required by the Rules. Mr Ronan's horse was effectively forced inside the marker pegs. As a result, there was contact of the wheels with Mr Caldow, and Mr Ronan's horse, Fratellino, broke and was effectively eased out of the race whilst galloping.

In our opinion, this resulted from the pressure from the outside, which was in turn caused by your movement towards the marker pegs when not sufficiently clear of Mr Caldow's horse, Aleppo Murphy.

We find that the charge has been proven in that you caused interference. We will hear from the parties on the question of penalty.

PENALTY

We consider that effectively the minimum was imposed. You pleaded 'not guilty'. There is not discount for a 'guilty' plea. We consider that a 14 day suspension is the proper penalty.

Mark Howard
Registrar, Victorian Racing Tribunal