

Media Release

Racing Appeals & Disciplinary Board

Result of appeal held before the HRV Racing Appeals and Disciplinary Board on 13 February 2017.

Chris Alford

Against a 2 week suspension/\$750 fine imposed by the stewards under Rule 163(1)(a)(iii) at Tabcorp Park Melton on 28 January 2017.

Appeal against the severity of penalty varied to a 10 day suspension.

HRV RAD Board Panel: Tony Burns (Chairman), John Denahy

Appellant Representative: Self

HRV Representative: Nicholas Murray

TRANSCRIPT OF PROCEEDINGS

RACING AND DISCIPLINARY BOARD

ANTHONY BURNS, Chairman

MR JOHN DENAHY

EXTRACT OF PROCEEDINGS

CHRIS ALFORD

DECISION

MONDAY 13 FEBRUARY 2017

Mr N MURRAY appeared on behalf of the HRV Stewards

MR ALFORD appeared on his own behalf

Mr Alford pleads guilty to contributing to interference before the first turn at Melton on 28 January 2017. It is clear from the vision of the race and conceded by the Stewards that the horse interfered with had shifted out to avoid a horse that earlier galloped. As such the interference by Mr Alford was in the nature of contribution rather than cause. It is as the stewards concede, albeit before the first turn, of low level culpability.

This race was however a feature race and as such will usually attract a monetary penalty over and above the suspension.

Minimum penalty guidelines are now advertised which suggest a two week penalty for a first turn offence under this rule.

Here the offence has a reduced culpability because it is contributory or interference only rather than its cause.

Importantly, in this Board's view is Mr Alford's offence record. Mr Alford drives some 1500 horses each year. It appears has not infringed against this rule before and had some 6,700 drives since a suspension for any offence. Added to that of course is the fact he pleads guilty.

The Racing Appeals & Disciplinary Board (RADB) is established under section 50B of the Racing Act (1958). The RADB is an independent Board established to hear and determine appeals in relation to decisions made under the rules to impose penalties on persons and to hear and determine charges made against persons for serious offences.

Those matters we take to put this penalty in the extraordinary category. We note the Stewards practice of fining over and above any suspension on penalties for feature races is not listed in the advertised minimum penalty guidelines. We say nothing about that practice save that it is within the rules. We are of the view that it is not necessary here given Mr Alford's plea of guilty, his reduced culpability and his exemplary record for a driver with his frequency of competition.

In all the circumstance given these unique factors we find that a 10 day suspension of itself is the appropriate penalty.