

***Harness***  
**Racing Appeals & Disciplinary Board**

# Media Release

## Racing Appeals & Disciplinary Board

Result of the appeals held before the HRV Racing Appeals and Disciplinary Board on 16 March 2018.

### **Joshua Aiken**

Against decision and a 5 week suspension imposed by the stewards under Rule 149(2) at TABCORP Park Melton on 16 December 2017.

**Appeal as to decision dismissed. Suspension varied to 4 weeks.**

HRV RAD Board Panel: Alanna Duffy (Chairperson), Rod Osborne.

Appellant Representative:

HRV Representative: Nick Murray

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.

# **TRANSCRIPT OF PROCEEDINGS**

**RACING AND DISCIPLINARY BOARD**

**MS ALANNA DUFFY, Chairperson**

**MR ROD OSBORNE**

## **EXTRACT OF PROCEEDINGS**

**JOSHUA AIKEN**

**DECISION**

**16 March 2018**

**Mr NICK MURRAY appeared on behalf of the HRV Stewards**

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We have decided in this matter to dismiss the appeal as to the decision. We note that the rule in this matter is “a person shall not drive in a manner which in the opinion of the stewards is unacceptable”. In this case, the submissions and the evidence that Mr Aiken has presented has not convinced us to overturn the professional assessment of the stewards.

Essentially, we agree with the matters that have been raised by the stewards in terms of the matters taken into account on penalty - that the offence is in the mid-range and taking into account Mr Aiken’s record and frequency of drives - but we think in these circumstances the appropriate suspension is a four week suspension. We’ve taken into account the minimum penalty guidelines as well.

*Harness*  
Racing Appeals & Disciplinary Board

# Media Release

## Racing Appeals & Disciplinary Board

Result of the appeals held before the HRV Racing Appeals and Disciplinary Board on 16 March 2018.

### **Kima Frenning**

Against a 3 week suspension imposed by the stewards under Rule 162(1)(www) at Bendigo on 14 February 2018.

**Penalty Varied to \$500 fine.**

HRV RAD Board Panel: Alanna Duffy (Chairperson), Rod Osborne.

Appellant Representative: Lance Justice  
HRV Representative: Kylie Harrison

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# **TRANSCRIPT OF PROCEEDINGS**

**RACING AND DISCIPLINARY BOARD**

**MS ALANNA DUFFY, Chairperson**

**MR ROD OSBORNE**

## **EXTRACT OF PROCEEDINGS**

**KIMA FRENNING**

**DECISION**

**16 March 2018**

**Ms KYLIE HARRISON appeared on behalf of the HRV Stewards**

**Mr LANCE JUSTICE appeared on behalf of KIMA FRENNING**

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In deciding on an appropriate penalty in this matter, we've taken into account all the submissions that have been made. We note that this rule is one that goes to the integrity of harness racing, particularly in respect to betting, and that there is a need for specific and general deterrence, but having said all of that, we do think that the offence in this case was probably at the lower end of the scale. We've noted that the horse 'Franks Very Much' had already shifted slightly which contributed to the gap that Mr Aiken's drive was able to get through. We also note Ms Frennings's early guilty plea, her admission that she shifted ground and her good record over a relatively short period of time but clearly she does have a very good record and we think in all of those circumstances, a fine rather than a suspension is appropriate and we've decided that the amount of that fine should be \$500.