

DETERMINATION AND REASONS FOR DETERMINATION OF
THE RACING PENALTIES APPEAL TRIBUNAL

APPELLANT: VAUGHN SIGLEY
APPLICATION NO: A30/08/486
PANEL: MR D MOSSENSON (CHAIRPERSON)
DATE OF HEARING: 24 JANUARY 2000
DATE OF DETERMINATION: 24 JANUARY 2000

IN THE MATTER OF an appeal by Mr V Sigley against the determination made by the Western Australian Turf Club Stewards on 2 January 2000 imposing a one month suspension for breach of Rule 175(a) of the Australian Rules of Racing.

The appellant represented himself.

Mr S J Carvosso appeared for the Western Australian Turf Club Stewards.

This is an appeal by Jockey Vaughn Sigley against the conviction by the Stewards of the Western Australian Turf Club for breach of Rule 175(a) of the Australian Rules of Racing. That Rule states:

"175. The Committee of any Club or the Stewards may punish:

- (a) *Any person, who, in their opinion, has been guilty of any dishonest, corrupt, fraudulent improper or dishonourable action or practice in connection with racing."*

Following a report from the Clerk of Scales into an incident that occurred prior to the running of Race 3 at Mt Barker Turf Club on 2 January 2000, the Stewards opened an inquiry. After taking evidence from the Clerk of Scales and Mr Sigley the Stewards laid a charge under Rule 175(a) in the following terms:

"Now you're being charged under that rule with an improper practice. Now the particulars of the charge under improper, sorry improper action, the particulars of the charge under that rule is that, you presented yourself to the Clerk of Scales to weigh out for Race 3 the Cranbrook Hotel Sprint with a saddle that wasn't fully mounted. That is a saddle without your girth, surcingle or stirrup irons and leathers."

Mr Sigley pleaded not guilty.

After hearing further evidence from Mr Sigley the Stewards announced a finding of guilt.

The grounds of the appeal are:

"I wish to appeal against being found guilty of the above rule which implied I cheated to make the weight for my mount on the day. I did not cheat and still made the weight on the horse and weighed out and in as I was required."

After hearing submissions from both sides and reading the transcript of the Stewards' inquiry I am satisfied that the Stewards were entitled to form the opinion which they did of the incident.

Accordingly, the appeal is dismissed and the suspension of operation of the penalty automatically ceases.

Dan Mossenson

DAN MOSSENSON, CHAIRPERSON

