

**REASONS FOR DETERMINATION OF**  
**THE RACING PENALTIES APPEAL TRIBUNAL**

**APPELLANT:** RYAN WARWICK

**APPLICATION NO:** A30/08/781

**PANEL:** MR W CHESNUTT  
(Presiding Member)

**DATE OF HEARING:** 29 JULY 2015

**DATE OF DETERMINATION:** 29 JULY 2015

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**IN THE MATTER OF** an appeal by Mr Ryan Warwick against a determination made by Racing and Wagering Western Australia Stewards of Harness Racing on 15 July 2015, imposing a 6 week suspension for breach of Australian Harness Rule of Racing 149(2).

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Mr G Bond, represented Mr R Warwick.

Mr C Coady represented the Racing and Wagering Western Australia Stewards of Harness Racing.

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1. The reasons for decision in this matter were set out at the hearing by myself.
  
2. The Stewards' opinion must hold sway unless anybody can point to me where they have made an error in some way in reaching their opinion. The only error that I can see that looks to be in any way material is the question of the horse's previous form, and the error that the Stewards made in their inquiry about it having run third in its last start; but that, I think, is effectively countered by the reply that the distance by which it was beaten was not particularly great, irrespective of the actual placing.

3. For that reason, I don't think there's enough weight in that error to justify upholding the appeal against conviction and there really is no other basis on which their opinion could be challenged.
4. I do agree, though, that the penalty imposed is a little harsh, and I propose to reduce it to 50% of what it was.
5. Accordingly, the appeal against conviction is refused.
6. The appeal against penalty is upheld, and the period of suspension is reduced from 6 weeks to 3 weeks.
7. No further reasons to follow.



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**WILLIAM CHESNUTT, PRESIDING MEMBER**