31 May 2021

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**JAYDEN BREWIN**

**Date of hearing:** 11 May 2021

**Panel:** Magistrate John Doherty (Deputy Chairperson) and Judge Marilyn Harbison.

**Appearances:** Mr Stephen Coombes appeared on behalf of the Stewards.

Mr Jayden Brewin represented himself.

**Charge:** Australian Harness Racing Rule (“AHRR”) 163(1)(a)(iii) states:

1. A driver shall not -

(a) cause or contribute to any

(iii) interference.

**Particulars of charges:** Stewards inquired into an incident racing into the first turn and took evidence from Jayden Brewin (Rhyflective) and Ryan Hryhorec (Pats Pride). Mr Brewin pleaded guilty to a charge under the provisions of Rule 163(1)(a)(iii) (interference). The particulars of the charge being racing into the first turn he permitted Rhyflective to shift in when insufficiently clear of Pats Pride resulting in that mare being severely checked, breaking gait and trailing the field thereafter. Trailing runners Baileyborough, and Passionate Pursuit, were checked and broke gait and Daysie Brown checked and broke gait and then trailed the field thereafter. In assessing penalty stewards took into consideration Mr Brewin’s guilty plea, his good driving record and stewards deemed the interference to be in the mid-range. Mr Brewin’s licence to drive in races was suspended for a period of 3 weeks. With the commencement date of his suspension to be advised.

**Plea:** Guilty

**DECISION**

Mr Jayden Brewin has pleaded guilty to a charge under Australian Harness Racing Rule (“AHRR”) 163(1)(a)(iii), which states that a driver shall not cause or contribute to any interference. After the Stewards inquiry, Mr Brewin’s driving licence was suspended for three weeks. It is against that penalty that Mr Brewin now appeals to this Tribunal.

The drive in question occurred at the Mildura Harness Racing Meeting on 20 January 2021 in Race 1. The particulars of the charge, supported by video footage, are that racing into the first turn Mr Brewin, driving “Rhyflective”, permitted that horse to shift in when insufficiently clear of “Pats Pride” resulting in that horse being severely checked, breaking gait and trailing the field thereafter. Trailing runners “Baileyborough”, and “Passionate Pursuit” were checked and broke gait, “Daysie Brown” was checked and broke gait and then trailed the field.

In assessing penalty, Stewards considered Mr Brewin’s guilty plea, his good driving record and deemed the interference to be in the mid range.

Bearing in mind the video footage, Mr Brewin’s early plea of guilty and driving record, the Tribunal is of the view that a period of suspension of two weeks of Mr Brewin’s driving licence is an appropriate penalty. Such suspension is to commence at midnight on 14 May 2021.

Kathleen Scully  
Assistant Registrar, Victorian Racing Tribunal