

Appeal decision

Hearing Date: 28 June 2016

Decision Date: 28 June 2016

Code of racing: Thoroughbred

Appeal panel: Mr B. Miller (chair), Mr P. James and Mr D. Kays

Appearances: Apprentice N. Summers appeared on her own behalf
Mr A. Reardon, Chairman of Stewards, appeared on behalf of the stewards

Decision being appealed: Suspension of licence to ride in races for a period of 9 days
AR137(a)

Appeal result: Dismissed in respect to conviction and penalty

We have considered the issues that have been raised before us and we have looked at the film. Our perception of the film is that jockey Summers was in a three-wide position coming to the home turn and her horse was falling back through the field. She was controlling it as best she could at the time. The issue that she raised was that she suggested that the rider on horse number 11 had caused or contributed to the interference. That is something that we reject. We do not believe that the horse racing on the inside ridden by Montanna Savva had any issue in contributing to the incident, because if, as Ms Summers said, she was in a three-wide position, Montanna Savva's mount, which was racing on the rail, should not have therefore been involved in any connection with what happened.

As we have interpreted the film, the issue is whether or not she maintained her position in the three-wide position. Our view is that Ms Summers did not do that, that she came in closer to the rail towards more of a two-wide position and certainly Nathan Evans' mount was inconvenienced by her doing so; in turn, Melody O'Brien's mount was interfered with and severely checked. In the circumstances, we dismiss the appeal in respect to both penalty and conviction.

Further right of appeal information: The Appellant and the Steward may appeal to the Queensland Civil and Administrative Tribunal (QCAT) within **28 days of the date of this decision**. Information in relation to appeals to QCAT may be obtained by telephone on (07) 3247 3302 or via the Internet at www.qcat.qld.gov.au