



APPEAL OF BELINDA CARLILE: AR 137A

Appeal Committee: Mr John Stewart (Chairman), Mr Brett Dixon and Mr Charles Burkitt

Date of Hearing: 10 April 2012

REASONS FOR DECISION

Stewards found Apprentice Belinda Carlile guilty of a breach of AR 137A(4)(c) on 25 March 2012. She was the rider of "With a Bullet" in Race 2 at Alice Springs earlier that day. Stewards ordered the forfeiture of the rider's riding fee in accordance with AR 196(2) which gives them the power to impose that penalty for a breach of AR 137A.

Sub-rule 137A(3) concerns excessive, unnecessary or improper use of the whip. Sub-rule (4)(c) provides that, without affecting the generality of sub-rule (3) the Stewards may penalise any rider who uses the whip when the rider's horse is out of contention.

Rule 137A is designed to safeguard the welfare of horses. In providing for forfeiture of the riding fee, AR 196(2) serves to indicate that a breach of AR 137A is not to be regarded lightly.

Apprentice Carlile appealed on the grounds that the penalty was excessive. She did not contest the finding of guilt. At the hearing of the appeal she was represented by Mr Troy Walsh. Mr Lindsay Lane, Chairman of Stewards, presented the Stewards' case.

The grounds of appeal were: "That the penalty handed down to an apprentice for a first time offence is excessive."

In the video of the race Apprentice Carlile could be seen using the whip on her mount around 20 times in a backhand manner after entering the straight.

Stewards observed that the horse was a 2-year-old and that it was beaten by a big margin and was not making any ground on the placegetters. At the Stewards' Inquiry, Apprentice Carlile said that not all of the apparent strikes connected and she thought the horse was trying to improve its position.

Her Master, Mr Moody, told Stewards that "With a Bullet" was the favourite and Apprentice Carlile was trying her best to give punters a run for their money. He said the whip could discourage a young horse from developing bad habits.

Mr Westover's response was that Apprentice Carlile could have used sufficient vigour by riding the horse hands and heels or by more limited use of the whip.

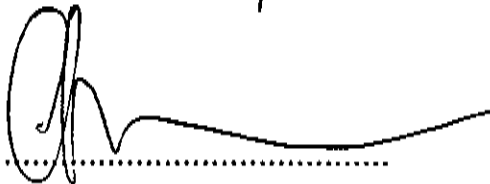
Mr Moody submitted that a reprimand was the appropriate penalty for Apprentice Carlile. Ms Westover gave these reasons for sterner punishment: "if she had put the whip away half way down the straight we may opt for a reprimandbut using the whip right to thebasically to the finish line on a 2yo may not warrant a reprimand".

We agree that a reprimand would be inadequate for an offence of this gravity. The horse was a long way back and was hit far too many times. The use of the whip by apprentice Carlile on this occasion went far beyond the level of tolerance that might justify a reprimand.

The major reforms to the whip rules were controversial and attended by a great deal of publicity when introduced in 2009. Apprentice Carlile is not a beginner. She is in the last year of her apprenticeship. She has been riding for 3 years and should have been well aware of the specific provisions of sub-rule (4).

The Stewards' decision is confirmed. The deposit will be forfeited.

Dated 30 April 2012

A handwritten signature in black ink, appearing to be 'John Stewart', written over a dotted line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John Stewart
Chairman