



INTERNAL REVIEW DECISION

(Internal Review Decision Notice in response to an Application for Internal Review)

PART 1: Details of Internal Review	
Internal Review Number:	Internal Review 0063-17
Applicant's Name:	L Dodds
Original Decision:	Breach of rule 137(a) of the Australian Rules of Racing
Original Decision Makers:	K Daly, J Williamson
Date of Original Decision:	12 August 2017
Internal Review Decision:	Original decision on penalty confirmed
Internal Review Decision-Maker:	Mr Kane Ashby, Internal Adjudicator, Queensland Racing Integrity Commission
Date of Internal Review Decision:	22 August 2017
PART 3: Summary of Internal Review Application	
<p>The Applicant, Mr Lachlan Dodds, rider of FIRST REGRET was found guilty of careless riding under Australian Rule of Racing 137(a) in race 6 at Nanango on 12 August 2017.</p> <p>Australian Rule of Racing 137(a) states: <i>“Any rider may be penalised if, in the opinion of the stewards, he is guilty of careless, reckless, improper, incompetent or foul riding.”</i></p> <p>The Stewards' report stated: <i>“FIRST REGRET slow to begin. Approaching the finish line shifted out abruptly resulting in App L Dodds becoming momentarily becoming unbalanced. Trainer W Melvin was advised a warning would be placed on the geldings racing manners. App L Dodds pleaded guilty to a charge of careless riding under AR137(a) in that near the 300 metres when riding his mount along he directed FIRST REGRET outwards resulting in WENSLEY ROAD being checked and forced wider on the track and GET OUTA UTAH being hampered and also forced wider on the track. L Dodds was suspended for a period of 12 days to commence midnight 12th August until midnight 24th August 2017. Stewards, in arriving at penalty, took into account the actions of L Dodds leading up to the incident, the degree of interference suffered and his guilty plea.”</i></p> <p>The Applicant sought a review of penalty.</p>	
PART 4: Reasons for Internal Review Decision	
<p>The Applicant's review submissions in summary state, <i>“I believe the cause of the alleged interference was mainly from a horse in front coming back through the field quickly. I had to stop riding and take action to avoid being hit from the horse in front. Although pleading guilty I believe 12-days was too long due to other contributing factors.”</i> The outcome the Applicant was seeking is a <i>“reduction in penalty.”</i>¹</p> <p>Subsequent to viewing the available race footage, the reviewer does not accept the Applicants submissions related to the contributing factors. The reviewer finds the interference was a direct result of the Applicant when riding forward,</p>	

¹ Internal Review Application dated 16 August 2017



permitted his horse to shift out when insufficiently clear of WENSLEY ROAD and GET OUTA UTAH, resulting in the aforementioned interference.

The stewards deemed the interference to be mid-range. The standard mid-range penalty is 13 days' suspension. The Applicants recent disciplinary history notes the last careless riding suspension was in June this year.

In weighing up the matter on penalty, consideration was provided to the degree of carelessness, interference suffered, disciplinary history, guilty plea and precedent scale.

In consideration of the aforementioned factors, the reviewer is not satisfied a further reduction in penalty is proven and therefore confirms the decision on penalty.

PART 5: Review Rights following Internal Review Decision

In accordance with section 246 of the *Racing Integrity Act 2016*, as the applicant for an internal review of the original decision, you are able to apply to the Queensland Civil and Administrative Tribunal (QCAT) for an external review of the internal review decision.

An external review is commenced by lodging the appropriate forms with QCAT. In accordance with section 33 of the *Queensland Civil and Administrative Tribunal Act 2009*, an application for an external review of an internal review decision is to be made within 28 days from the day this internal review decision notice is provided to the applicant.

For further information regarding the processes for an external review of the decision, please contact QCAT:

Queensland Civil and Administrative Tribunal

Registry Location: Level 9, 259 Queen Street, BRISBANE QLD 4001
Postal Address: GPO Box 1639, BRISBANE QLD 4001
Phone: 1300 753 228
Email: enquiries@qcat.qld.gov.au