



INTERNAL REVIEW DECISION

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

Internal Review Number:	Internal Review 0072-17
Applicant's Name:	Z White
PART 2: Decision History	
Original Decision:	Breach of Rule 137(a) of the Australian Rules of Racing
Original Decision Makers:	C Albrecht, B Nalder, M Heath
Date of Original Decision:	25 August 2017
Internal Review Decision:	Original decision of charge and penalty confirmed
Internal Review Decision-Maker:	Mr Kane Ashby, Internal Adjudicator, Queensland Racing Integrity Commission
Date of Internal Review Decision:	12 September 2017
PART 3: Summary of Internal Review Application	
<p>The Applicant, Ms Zoe White, rider of CALL ME KEV in Race 3 at the Rockhampton Jockey Club on 24 August 2017, was found guilty of a charge under Australian Rule of Racing 137(a).</p> <p>Australian Rule of Racing 137(a) states:</p> <p><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 of 24 August 2017 stated:</p> <p><i>"Apprentice Zoe White, the rider of CALL ME KEV, was found guilty of a charge of careless riding under AR 137(a) in that near the 500m she failed to make sufficient effort to prevent her mount shifting out, resulting in MISS RICH having to be restrained from her runner's heels. Ms White's licence to ride in races was suspended for 10 days, to commence at midnight on Saturday 2 September 2017 and expire at midnight on Tuesday 12 September 2017. In determining penalty, stewards were of the view that the interference was in the low range, however were also mindful of apprentice White's recent poor riding record and her not guilty plea."</i></p> <p>The Applicant sought a review of charge and penalty.</p>	
PART 4: Reasons for Internal Review Decision	
<p>The Applicant, Ms Zoe White, submitted a review of the aforementioned steward's decision which in summary stated <i>"In the steward's inquiry the chief steward claimed the incident to be minor but stated Zoe never reacted quickly enough. I believe that at approximately the 450m I looked to my outside, in doing this my horse shifted (approx one horse). I received a call from jockey Mclver (Christopher Mclver) as this happened I straightened my horse directly</i></p>	



at this point (on the video you can see my horses head turned in). Jockey Mclver never lost ground and I believe I reacted straight away and as quickly as I could.” The Applicant added *“I believe the charge to be too harsh”* and seek the *“decision be overturned.”*¹

During the inquiry the chairman provided live evidence of the incident stating *“Approaching the 500m apprentice White, rider of CALL ME KEV, was racing on the fence and has shifted out to obtain clear running and in doing so shifted out when insufficiently clear of jockey Mclver rider of MISS RICH resulting in jockey Mclver steadying his mount away from the heels of Miss White’s runner’s heels. Apprentice Crow racing to the outside kept a straight line.”* Jockey Mclver confirmed he had to ease slightly due to apprentice White shifting out when not quite clear.

The Applicant in summary stated *“At that point in time, I was travelling on -----(inaudible) heels and he was coming back at me, as I’ve eased, I’ve glanced to the side, as I’ve glanced he sort of ducked out on me, as you can see when I do pull him back, when he starts to shift, you can see his head turned in.”*

Subsequent to viewing the race-footage, the reviewer finds the Applicant, rider of CALL ME KEV which was racing on the fence near the 500m, permitted her mount to shift out when riding forward in an attempt to gain clear running, when not sufficiently clear of MISS RICH, resulting in that horse being tightened for room and becoming unbalanced. The reviewer accepts the Applicant looked to her outside before shifting, but in any event, shifted out when riding forward and not sufficiently clear. The reviewer further accepts the Applicant straightened her horse, however such action was subsequent to the aforementioned incident. The reviewer is satisfied the outside horses had no bearing on the incident. In weighing up the evidence including submissions, the reviewer is completely satisfied the charge is proven.

The stewards deemed the interference to be low range. The standard penalty for a low range offence is ten days’ suspension. The Applicant’s disciplinary history notes four low-range careless riding offences this year.

In weighing up the evidence on penalty, the reviewer considered the Applicants not-guilty plea, recent disciplinary history, the degree of carelessness and interference caused and precedents for a low range careless riding offences. The reviewer is satisfied, having considered the aforementioned factors, the original penalty is more than reasonable in the circumstances, considering the Applicants recent indiscretions and as such confirms the original decision on charge and 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

¹ Internal Review Application dated 1 September 2017



**QUEENSLAND RACING
INTEGRITY COMMISSION**

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