

TASMANIAN RACING APPEAL BOARD

Appeal No 29 of 2016/2017

Panel:	Mrs Kate Brown (CHAIR) Mr Rod Lester	Appellant:	Sigrid Carr
Appearances:	Mr Scott Quill and Mr David Farquharson on behalf of the Stewards Mr Leon Wells on behalf of the appellant	Rules:	AR137(a)
Heard at:	Launceston	Penalty:	2 race dates suspension
Date:	5 July 2017	Result:	Varied to severe reprimand

REASONS FOR DECISION

1. On 5th of July 2017 the Tasmanian Racing Appeal Board (the “TRAB”) heard an appeal by Sigrid Carr, filed on 31 May 2017, against a conviction for careless riding contrary to AR 137(a) in a race meeting on the 28th of May 2017, and the 2 race meeting suspension imposed by way of penalty.
2. At the hearing the Board had regard to
 - a. The Notice and Grounds of Appeal lodged 31 May 2017;
 - b. Copy of Fine and Notification of Penalty issued 28 May 2017;
 - c. Transcript of Stewards Inquiry 28 May 2017 (including transcript of protest);
 - d. Copy of Appellants Offence record;
 - e. Stewards Report 28 May 2017;
 - f. Race film race 1 TRC meeting 28 May 2017;
 - g. Evidence and submissions from Ms Carr and Mr Wells during the hearing;
 - h. Evidence and Submissions from Mr Farquharson at the hearing.
3. Having taken into account all of the above, the Board determined that the appellant had misjudged her shift out, crossing in front of *Windrider* when she was insufficiently clear to do so, causing interference to *Windrider*. It is noted that the appellant stated at the inquiry that she “*felt she was going to get there a lot quicker than [she] did*” when referring to her decision to cross in front of *Windrider*, and that *Windrider* “*has improved a lot faster than I thought it would*”. While it is not possible to determine from the race film exactly how much distance there was between the appellant and *Windrider* when she determined to cross, the Board was satisfied on the basis of all the evidence that it was insufficient in all the circumstances.

4. The Board also noted the appellant's evidence at the inquiry that :
If I'm guilty of anything Sir, its [sic] I'm guilty on the fact that I probably should have just ridden hands and heels. I shouldn't have pulled the stick on the filly, because as soon as I've pulled the stick I've lost the contact and she's moved out which then, that has caused the interference".
5. However, the Board took the view that the level of the appellant's culpability and her good record had been given insufficient weight by the Stewards. It particularly notes that this was *Gee Gee Storm*'s first run, and that the appellant had checked prior to commencing to shift, but that she had misjudged the relative speeds of the two horses and the degree to which the gap would close as she made her move. It also took into account the appellant's good record and her high level of activity.
6. The Board affirmed the conviction but determined to vary the penalty imposed by stewards, by reducing the two meeting suspension to a severe reprimand.
7. Pursuant to s.34 of the *Racing Regulation Act 2004* the Board orders that 50% of the deposit paid be forfeited to the Secretary and that the appellant pay 50% of the cost of preparation of the transcript for the appeal.