

## APPEAL RESULT

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**DISTRIBUTION:** Chief Executive  
Group Integrity Services  
Group Racing and Group Racing Development  
VJA  
TVN  
Office of Racing  
T Moxon – National Drug Register  
Racing Press

**FROM:** Registrar – Racing Appeals and Disciplinary Board

**DATE:** 30 January 2014

**SUBJECT:** **APPEAL HEARING RESULT – JOCKEY: SALLY WYNNE**

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**Panel** Judge Russell Lewis (Chair), Mr Graeme Johnson, Mr Shaun Ryan.

**Appearances** Ms Wynne appeared on her own behalf, assisted by Mr Des O’Keeffe.  
Mr Brent Scarlett appeared on behalf of the Stewards.

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At Sale on Saturday 25 January 2014, jockey Sally Wynne pleaded guilty to two charges under AR 137A(5) in relation to whip use and was fined a total of \$600 (\$300 on each charge).

The charges relating to her ride on *Gippsland City* in Race 1 the *Programmed Maintenance Maiden Plate* (1210m).

The particulars being that she used her whip in a forehand manner on fifteen occasions prior to the 100 metres, ten more than is permitted under AR 137A(5)(a)(ii) and also used her whip in consecutive strides on eight occasions prior to the 100 metres, in contravention of AR 137A(5)(a)(i).

In assessing penalty Stewards took into account Ms Wynne’s good record in regards to whip breaches and that she was of the belief that she was using her whip in a backhand manner rather than forehand.

A Notice of Appeal against **the severity of the penalty** was lodged on Tuesday, 28 January 2014.

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**DECISION:** Appeal allowed.

Penalty varied to a fine of \$300.

**TRANSCRIPT OF  
PROCEEDINGS**

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**RACING APPEALS AND DISCIPLINARY BOARD**

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman  
MR G. JOHNSON  
MR S. RYAN**

**EXTRACT OF PROCEEDINGS**

**DECISION**

**IN THE MATTER OF THE PROGRAMMED MAINTENANCE  
MAIDEN PLATE AT SALE ON 25/1/14**

**JOCKEY: SALLY WYNNE**

**MELBOURNE**

**THURSDAY, 30 JANUARY 2014**

MR B. SCARLETT appeared on behalf of the RVL Stewards

MS S. WYNNE appeared on her own behalf, assisted by MR D. O'KEEFFE

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CHAIRMAN: There is clearly a distinction that has been made by the Stewards on where the offences take place, whether it is at a picnic meeting or a non-TAB meeting, a provincial meeting or indeed a meeting at Flemington. That seems to be one of the matters which the Stewards take into account.

Bearing in mind the discrepancies necessarily involved in categorising the meeting where the offence took place, bearing in mind Ms Wynne's good record, and bearing in mind the fact that the Board accepts that she did have a so-called brain fade, all those matters being taken into account, the Board is of the opinion that the appeal ought to be allowed and that there be one fine for the excessive use of the whip and that amount should be \$300.

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