

Barbara Joseph and her two sons, Paul and Matt Jones (in training partnership) suspended for 4 months re death of I Am Rocky on 24 February 2019 in his stable box.

<https://www.racing.com/news/2019-06-26/news-horse-death-results-in-suspension?fbclid=IwAR00gsocFEIqLvOx7wwTHfmY9kgizBNhMUhgGKytqkzviIvwu9qHVf9kZnQ>

According to Racing Australia, this horse never raced but trialled at Cowra on 2 March 2017 as a two (2) year old.

I Am Rocky sired by the famous I Am Invincible – likely an expensive horse and retained as an entire (not gelded).

Horse death results in suspension



Racing.com Staff@Racing

26 June, 2019

Racing New South Wales has suspended three members of a training partnership for failing to provide adequate veterinary treatment to one of their horses.

Canberra trainers Barbara Joseph, Paul Jones and Matt Jones fronted Racing NSW stewards on Wednesday at the continuation of an inquiry that was opened on May 19 this year.

It was in relation to the circumstances surrounding the death of I Am Rocky in February this year and the care the four-year-old entire was afforded in the lead-up to its death.

In addition to one charge under AR103(4), for failing to lodge a stable return for I Am Rocky despite the horse having been in work for approximately nine weeks, the training partners were also issued one charge under AR231(1)(b)(iii).

Among the particulars of that charge were:

** At approximately 4am on Saturday, 23 February 2019, co-trainer Mr M. Jones became aware that I Am Rocky was displaying symptoms of colic.*

** At approximately 8:09am on Saturday, 23 February 2019, Mr P. Jones became aware that I Am Rocky was again displaying symptoms of colic.*

** That during Saturday, 23 February 2019, stable foreperson Mr S. Jamieson had observed that I Am Rocky had "been lethargic all day".*

** That during Saturday, 23 February 2019, they did fail to provide for veterinary treatment of I Am Rocky when the horse was displaying symptoms of colic and such treatment was necessary for the horse.*

** That after observing that I Am Rocky was dull and lethargic in its stable at approximately 7am on Sunday, 24 February 2019, licensed stablehand Ms L. Fehre contacted Mr S. Jamieson soon after and reported to him words to the effect "He looks unwell and he probably needs a vet".*

** That at no time did they, subsequent to Saturday, 23 February 2019 and whilst I Am Rocky remained in their care, control and supervision at their registered racing stables provide for veterinary treatment of the horse, when such treatment was necessary for the horse.*

** I Am Rocky was found deceased in its stable at approximately 7:30pm on Sunday, 24 February 2019 by stable foreperson Mr S. Jamieson.*

** A post-mortem examination report completed by Dr S. Raidal, Veterinary Diagnostic Laboratory (Charles Sturt University), on 26 February 2019, provided a gross diagnosis of right dorsal displacement of the large colon, likely secondary to diffuse typhlocolitis ultimately was the cause of the death of I Am Rocky. The Report also identified and described numerous superficial wounds and subcutaneous haemorrhages, consistent with trauma following an episode of uncontrolled colic pain.*

AR231(1) states that it is an offence for any person in charge of a horse to fail to provide veterinary treatment to a horse when necessary.

The four-month suspension under the second charge was reduced from six months owing to a guilty plea from the three training partners, while they were also fined \$200 under charge one.

RNSW notice

Stewards Fine And Suspend Jones Training Partnership

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On Thursday, 23rd May 2019, an inquiry was opened into the circumstances surrounding the death on the evening of Sunday, 24th February 2019 of I Am Rocky, a 4YO bay entire, whilst it was in the care of the Joseph Jones Racing Partnership, and also into the care that the horse was afforded in the lead up to its death.

Evidence was taken from the co-trainers of the training partnership consisting of Mrs Barbara Joseph, Mr Paul Jones and Mr Matt Jones, and stable foreperson Mr S. Jamieson, stablehand Ms L. Fehre, **registered owner of I Am Rocky, Mr C. Warne**, Dr J. Laing – Bungendore Veterinary Surgery and Dr Toby Koenig – Chief Veterinary Officer RNSW. Ms L. Hours attended the inquiry as a support person for Mr Warne.

The inquiry was continued today with further evidence being taken from Mrs B. Joseph, Mr P. Jones, Mr M. Jones, Mr C. Warne, Dr J. Laing and Dr T. Koenig. Ms L. Hours again attended the inquiry as a support person for Mr Warne but also provided evidence.

Mrs B. Joseph, Mr P. Jones and Mr M. Jones pleaded guilty to the following two charges:

Charge **1**
Under **AR103(4)** that they did fail to lodge a stable return for the four-year-old horse I Am Rocky, which after joining the Joseph Jones Racing stables, had been in active work for a period of approximately nine weeks.

Charge **2**
Under **AR231(1)(b)(iii)** that they did fail to provide for veterinary treatment where such treatment was necessary as:

- (1) They were at all relevant times the co-trainers of the four-year-old entire I Am Rocky.
- (2) In accordance with AR98(2), they are persons training in partnership and as such share all responsibilities, obligations and rights under the Rules in relation to training horses.
- (3) Under LR78(2), they were, during the relevant times, responsible for the care, control and supervision of I Am Rocky.
- (4) At approximately 4am on Saturday, 23 February 2019, co-trainer Mr M. Jones became aware that I Am Rocky was displaying symptoms of colic.
- (5) At approximately 8:09am on Saturday, 23 February 2019, Mr P. Jones became aware that I Am Rocky was again displaying symptoms of colic.
- (6) That during Saturday, 23 February 2019, stable foreperson Mr S. Jamieson had observed that I Am Rocky had “been lethargic all day”.
- (7) That during Saturday, 23 February 2019, they did fail to provide for veterinary treatment of I Am Rocky when the horse was displaying symptoms of colic and such treatment was necessary for the horse.
- (8) That after observing that I Am Rocky was dull and lethargic in its stable at approximately 7am on Sunday, 24 February 2019, licensed stablehand Ms L. Fehre contacted Mr S. Jamieson soon after and reported to him words to the effect “He looks unwell and he probably needs a vet”.
- (9) That at no time did they, subsequent to Saturday, 23 February 2019 and whilst I Am Rocky remained in their care, control and supervision at their registered racing stables provide for veterinary treatment of the horse, when such treatment was necessary for the horse.
- (10) I Am Rocky was found deceased in its stable at approximately 7:30pm on Sunday, 24 February 2019 by stable foreperson Mr S. Jamieson.

(11) A post-mortem examination report completed by Dr S. Raidal, Veterinary Diagnostic Laboratory (Charles Sturt University), on 26 February 2019, provided a gross diagnosis of right dorsal displacement of the large colon, likely secondary to diffuse typhlocolitis ultimately was the cause of the death of I Am Rocky. The Report also identified and described numerous superficial wounds and subcutaneous haemorrhages, consistent with trauma following an episode of uncontrolled colic pain.

PENALTY

CHARGE 1 – Fined \$200.

CHARGE 2 – 4 months suspension, reduced from 6 months on the entering of a guilty plea. In further assessing penalty, amongst other considerations, recognition was given to this being the partnership's first breach of a related Rule, the licensing history of the members of the training partnership and the scale of the training operation.

Under the provisions of AR283(7) the committee of Stewards deferred the commencement of the period of suspension for 7 days which permits the training partnership to continue to train and racehorses up to and including Wednesday, 3 July 2019.

Mrs B. Joseph, Mr P. Jones and Mr M. Jones were advised of their right of appeal to the ACT Racing Appeals Tribunal.

- J.D. Walshe (Chief Steward - South East Region Racing NSW & the Canberra Racing Club)

Relevant	Rules
<i>AR103(4) The trainer of a horse</i>	<i>must:</i>
<i>(b) lodge a stable return immediately upon a horse joining the trainer's stable.</i>	

<i>AR231(1) A person</i>	<i>must</i>	<i>not:</i>
<i>(b) if the person is in charge of a horse – fail at any time:</i>		
<i>(iii) to provide veterinary treatment to the horse where such treatment is necessary for the horse.</i>		

AR283(7) A person or body authorised by these Australian Rules to suspend or disqualify any trainer may defer the commencement of the period of suspension or disqualification for no more than 7 clear days following the day the suspension or disqualification was imposed, and upon terms and conditions considered fit.

“WHEN STRUCK WITH THE WHIP”

from 20 December 2008 to 20 April 2019

primarily sourced from Racing NSW Stewards' Reports www.racingnsw.com.au

by Carolyn McDonald – Researcher

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Horse	Date	Place	Track	Trainer	Jockey	Incident
Frikkers	20/4/19	Kembla Grange			Chad Lever	Frikkers – which was resuming from a lengthy spell, underwent a pre-race veterinary examination and was deemed suitable to race. Near the 200m was steadied off the heels of Cry Of Achilles, which obliging its rider to stop riding and straighten his mount. C. Lever reported that his mount laid outwards throughout the race. A post-race veterinary examination revealed Frikkers to be displaying a poor post-race recovery. Stable representative Mr J. Bruce was advised that a veterinary clearance would be required prior to Frikkers being permitted to race or barrier trial again. Second start for this 3 year old. http://racing.racingnsw.com.au/FreeFields/Results.aspx?Key=2019Apr20.NSW.Kembla%20Grange Race 5
Kalks	15/4/19	Grafton		Mrs S Pepper		Kalks – Approaching the 500m became severely unbalanced after it ran out abruptly and bumped Airdale Trainer Mrs S. Pepper was advised that the gelding is required to barrier trial to the satisfaction of stewards prior to its next race start. Raced greenly down the straight. First start by this 3 year old. Trainer part owner. <i>Consequences of a horse reacting to the pain of being whipped – see below</i> Airdale – Bumped on jumping. Approaching the 500m was bumped heavily by Kalks, checked, became severely unbalanced and lost ground (~4L). When questioned regarding his riding of the gelding from this point for the remainder of the event jockey A. Allen stated that approaching the 500m his mount felt awkward in its action and he allowed it to balance up before placing it under hands and heels pressure rounding the home turn. A. Allen stated that his mounts action had failed to improve at the entrance to the straight and he did not place it under pressure for the remainder of the event as he was concerned that something was amiss. A post race veterinary examination of the gelding revealed it to have swelling to the off fore fetlock, a laceration to the near fore fetlock and multiple lacerations to the near hind pastern. Further, the gelding was lame in the near fore (1/5) and off fore (2/5) legs. Trainer Mr S. Henley was advised that the gelding requires a veterinary certificate of fitness prior to its next race start. Next raced on 10 May and 24 May.
Barbara Mary	9/4/19	Moruya		Danny Williams	Mathew Cahill	Ethnicity (5 th place) – Correct weight was delayed at the request of rider app A Sweeney to ascertain whether there were grounds to lodge a protest against the fourth placegetter Barbara Mary concerning interference after the 150m. After viewing a replay and when there were not sufficient grounds, correct weight was declared on the Judge's placings. After the 150m was checked from the heels of Barbara Mary (M Cahill) which ran in abruptly after being struck with the whip. In assessing the abrupt nature of the shift, the

Montana Thunder	5/1/19	Wyong		Damien Lane	Chris Williams (a)	<p>Montana Thunder – shortly after straightening, [redacted] Then continued to hang in when placed under pressure thereafter. App. C Williams, rider of 4th placegetter, was reminded of his obligation to ride his mounts out to the finish when in contention.</p> <p><i>It seems horse is not appreciating being struck with the whip, continued to hang in when placed under pressure and rider is accused of failing to ride his horse out to the finish.</i></p> <p>http://racing.racingsw.com.au/FreeFields/Results.aspx?Key=2019Jan05.NSW.Wyong</p> <p>go to race 2 – in lime green/purple silks with purple cap – saddle no. 2</p> <p>horse clearly felt the sting of the whip and his tail noticeably went right up apart from shifting in abruptly it appears to me that this rider rode hands and heels to the finish line</p>
Chicadilly	19/12/18	Wyong			K Latham	<p>Dynasty Di – began awkwardly. Approaching the 150m had to be steadied when crowded between Princess Siri and Party Glow, which was taken out by Chicadilly (K Latham).</p> <p>In issuing a reprimand, Stewards were mindful that, [redacted] on Chicadilly inside the 200m, [redacted], however, he was advised that he should have made more of an effort than he did on this occasion to prevent his mount from shifting ground.</p> <p>https://www.racingaustralia.horse/PostStewardsReports/19122018WYNG.pdf</p> <p>go to race 4 – horse is in all pink silks and horse wearing pink blinkers.</p> <p>https://racing.racingsw.com.au/FreeFields/Results.aspx?Key=2018Dec19.NSW.Wyong</p>
Rum Cake	29/11/18	Wyong		Gary Nickson	Nicolas Barzalona	<p>Rum Cake – fifth start for this three (3) year old filly. [redacted] on straightening, [redacted] with King William.</p> <p>As a result the rider of Rum Cake (N Barzalona) had to change his whip from his left hand to his right hand.</p> <p>https://www.racingaustralia.horse/PostStewardsReports/29112018WYNG.pdf</p> <p>go to race 4 – 400m option</p> <p>https://racing.racingsw.com.au/FreeFields/Results.aspx?Key=2018Nov29.NSW.Wyong</p> <p>in purple silks with black cross and black cap saddle no. 9.</p> <p>Coming last at the 400m just before the home turn</p> <p>Incident is easy to see – fairly new jockey on the scene and it appeared to be quite a hard hit</p> <p>Recently reprimanded for arm above shoulder height</p> <p>This is a good example because not only is it easy to see the incident but the stewards' report discloses how the horse reacted to being struck with the whip.</p>
Legion Of Boom	16/10/18	Newcastle		Brett Cavanaugh		<p>Legion Of Boom – Laid out under pressure in the early part of the straight and when being corrected by its rider near the 200m shifted in abruptly.</p> <p>http://www.racingaustralia.horse/PostStewardsReports/16102018NCLE.pdf</p> <p>Go to race 1 – in blue silks – horse appears to react when struck with the whip</p> <p>http://racing.racingsw.com.au/FreeFields/Results.aspx?Key=2018Oct16.NSW.Newcastle</p>

High Flight	15/9/18	Newcastle		Paul Perry	T Wolfgram	High Flight – laid in in the early part of the straight and then approaching the 350m , obliging its rider T Wolfgram to change the whip over to his left hand passing the 300m, where High Flight then commenced to lay in and shifted in despite the efforts of its rider. http://www.racingaustralia.horse/PostStewardsReports/15092018NCLE.pdf
Lobban Hood	9/8/18	Taree			M Castle	Lobban Hood – Passing the 150m was steadied away from the heels of Crossing Guard (J Adams), which shifted out when not clear. J Adams was reprimanded. Lobban Hood (apprentice M Castle) then became awkwardly positioned on the heels of Crossing Guard and, and crowded One More before being corrected by its rider. Apprentice Castle was cautioned http://www.racingaustralia.horse/PostStewardsReports/09082018TAR_.pdf
Snitzagirl	3/8/18	Goulburn		Rick Worthington	Adrian Layt	Snitzagirl – on the offside near the 200m, Maudy, resulting in both runners becoming unbalanced . http://www.racingaustralia.horse/PostStewardsReports/03082018GOUL.pdf Go to race 7 saddle no. 5 in deep pink/yellow silks with pink cap horse with checked pink/yellow blinkers on. If you go to the 400m option she's travelling about second near the 200m and horse on her near side in plain yellow blinkers – rider has aqua blue silks/aqua cap. You'll see this incident quite clearly. http://racing.racingnsw.com.au/FreeFields/Results.aspx?Key=2018Aug03.NSW.Goulburn
Liberty's Gift	17/7/18	Albury				Liberty's Gift- passing the 100m. http://racing.racingnsw.com.au/FreeFields/Results.aspx?Key=2018Jul17.NSW.Albury difficult to see this – however, stewards' head on footage would reveal in checked cap near the rails and leads - places second.
Plucky Sienna	13/7/18	Canberra			Aaron Sweeney (a)	Plucky Sienna – When questioned, rider app A Sweeney stated that his mount was slow to begin (2L), raced very greenly throughout and lost significant ground in the early stages when, in his view, it also resented the kickback. He added that on straightening due to the issue of the kickback, he took his mount wide where it made good ground, however passing the 100m . A post-race veterinary examination of the filly did not reveal any abnormality. Trainer Mr G Kirkup concurred with the views of his rider in respect to the kickback. He added that he would restrict the filly to grass tracks and for its next start add blinkers and pacifiers. Mr Kirkup was told that a warning would be recorded against the filly due to its greenness during the race and also owing its reluctance to be loaded prior to the start. <i>Note: this horse was travelling last and drops out of view when struck with the whip and shifted out.</i>
Flying Bliss	7/7/18	Newcastle				Flying Bliss – began awkwardly. After establishing running to the inside of Alier in the early part of the straight, approaching the 300m had to be steadied when crowded by Alier which, after being struck with the whip in the left hand, before being corrected by its rider. http://www.racingaustralia.horse/PostStewardsReports/07072018NCLE.pdf

Puppet Master	23/6/18	Newcastle			Ms Deanne Panya	<p>Puppet Master – Passing the 200m commenced to lay in and near the 150m shifted in, obliging rider D Panya to stop and correct her mount and switch the whip over to the right hand. Passing the 50m, Puppet Master and had to be corrected again. Stable representative Mr G Miles was advised that an official warning would be placed on the gelding's record for its racing manners over the concluding stages.</p> <p>http://www.racingaustralia.horse/PostStewardsReports/23062018NGLE.pdf</p> <p>go to race 5 in white/navy silks with navy cap and white pom pom. Horse clearly shifts when struck with the whip. This horse won the race and video replay is easy to watch the reaction of this horse when struck.</p> <p>http://racing.racingsw.com.au/FreeFields/Results.aspx?Key=2018Jun23.NSW.Newcastle</p>
Tunero	17/4/18	Hawkesbury		Chris Waller	Chad Lever	<p>Tunero – began awkwardly and shortly after the start was bumped by Smiling Manolito, which shifted in. Held up rounding the home turn and in the early part of the straight. Passing the 200m . Hung out over the final 200m.</p> <p>http://www.racingaustralia.horse/PostStewardsReports/17042018HAWK.pdf</p> <p>In white silks with blue/white sleeves and blue cap. Travels on the rail. Clearly horse reacts to the whip’.</p> <p>http://racing.racingsw.com.au/FreeFields/Results.aspx?Key=2018Apr17.NSW.Hawkesbury</p> <p>go to race 6 go to the Full option for the video replay also go to the 400m option which shows head on footage</p>
Prahaar	17/4/18	Hawkesbury		D Pfeffer	Corey Brown	<p>Prahaar – on the offside.</p> <p>Trainer Mr D Pfeffer advised that the filly would now be spelled. Nevertheless, Mr Pfeffer was told that Prahaar must trial to the satisfaction of the Stewards prior to its next race start.</p> <p>http://www.racingaustralia.horse/PostStewardsReports/17042018HAWK.pdf</p> <p>In orange silks with white cap. Corey Brown strikes horse on off hind and this well bred 3 year old filly reacted to the whip as she's done before.</p> <p>Rider changed his preferred whip hand (the left) to his Right hand because he's aware of her history of being struck with the whip and her reaction to same. If he had've struck her with his left hand on the near side there would've been the likely possibility of her colliding into the other 3 horses near her.</p> <p>http://racing.racingsw.com.au/FreeFields/Results.aspx?Key=2018Apr17.NSW.Hawkesbury</p> <p>go to race 4</p> <p><i>She ducked out abruptly at Randwick on 7 Feb 2018 dislodging the jockey. Wasn't struck with the whip immediately prior to her reaction but in my opinion she was anticipating being whipped.</i></p>

Mossy Girl	15/4/18	Wagga			Patrick Score (a)	<p>Mossy Girl- in the straight</p> <p>http://www.racingaustralia.horse/PostStewardsReports/15042018WAGG.pdf</p> <p>This horse was the equal favourite and won the race by 2.5 lens. Saddle no. 6 in purple/white/pale green silks purple white cap. On the home turn is the horse out widest with white star/blaze. Clearly horse shifts out abruptly when struck with the whip. Jockey puts the whip away but then whips horse about 3 times in the last 100m and then puts whip away again and rides hands 'n' heels to the line with horse appearing to run straight.</p> <p>http://racing.racingsw.com.au/FreeFields/Results.aspx?Key=2018Apr15.NSW.Wagga go to race 4</p>
Hellyers Road	31/3/18	Port Macquarie	Good 4	Barry Ratcliff	Ms Wendy Peel (a)	<p>Hellyers Road - Shortly after straightening and brushed the running rail, resulting in the filly becoming badly unbalanced. Trainer Mr B. Ratcliff was advised a warning would be placed on the racing manners of the filly. W. Peel (a) was provided training by the Racing NSW apprentice mentor regarding allowing her mounts to balance up before applying the whip in future.</p> <p>http://www.racingaustralia.horse/PostStewardsReports/31032018P_MO.pdf</p> <p>Go to race 2 watch last 400m video option Horse in red blinkers (light coloured silks) takes the lead – horse clearly reacts to being whipped</p> <p>http://racing.racingsw.com.au/FreeFields/Results.aspx?Key=2018Mar31.NSW.Port%20Macquarie</p> <p>Fourth start for this 3 year old filly.</p>
Zoffany's Lad 7 th 1350m	5/2/18	Cessnock		Grant Allard	Jake Pracey-Holmes	<p>Zoffany's Lad. Near the 200m . A post-race veterinary examination revealed no abnormalities. Trainer G Allard was told a warning would be placed on its racing record for its racing manners.</p> <p>http://www.racingaustralia.horse/PostStewardsReports/05022018CESS.pdf</p>
Revere This hot favourite at \$1.40 came home 4 th by 6 lens.	20/1/18	Kempsey	Good 3	Kris Lees	Andrew Gibbons	<p>Revere – Raced ungenerously throughout the early and middle stages and rounding the home turn and badly crowded Lotsa Funk which was severely checked. Stable representative M. Curtis was advised that the gelding must barrier trial to the satisfaction of stewards prior to its next race start.</p> <p>http://www.racingaustralia.horse/PostStewardsReports/20012018KEMP.pdf</p>
Atum 3 rd 1000m	10/12/17	Hawkesbury		Bernie Kelly	Blaike McDougall (a)	<p>Atum – approaching the 300m, . Passing the 100m, Atum again ran in abruptly resulting in its rider having to stop and correct his mount from shifting further ground.</p> <p>http://www.racingaustralia.horse/PostStewardsReports/10122017HAWK.pdf</p>

Tutu 3 rd 1400m	26/10/17	Hawkesbury	Soft 5	John P Thompson	Blaike McDougall (a)	Tutu – commenced to lay in in the straight and passing the 250m, . Tutu then continued to hang in for the remainder of the event and proved somewhat difficult to ride. Rider App. B McDougall was advised that wherever possible that he rides his mounts out to the finish of the race. Trainer Mr J Thompson was advised a warning will be placed on Tutu for its racing manners. Mr Thompson advised Stewards Tutu will now be spelled.
Table Two 5 th 900m	16/9/17	Newcastle	Good 4	Brett Partelle	Blaike McDougall (a)	Table Two – near the 100m after being struck with the whip ran in abruptly http://www.racingsw.com.au/Site/ content/rdbMeet/00048007-stewardsreportsourcefile.pdf
Explosive Missile 4 th 1000m	10/8/17	Kembla Grange		David Pfeiffer	Tye Angland	Explosive Missile – passing the 300m, and was steadied resulting in its rider becoming unbalanced. The gelding continued to race greenly thereafter. http://www.racingsw.com.au/Site/ content/rdbMeet/00047871-stewardsreportsourcefile.pdf
Turf Tapper 2 nd 1300m	13/2/17	Bathurst		Bjorn Baker	Charles Bishop	Turf Tapper – raced wide throughout; when questioned, rider C. Bishop stated his mount was inclined to lay out under pressure in the straight and near the 100m in a forehand manner on the right side of the gelding behind the saddle, and his saddle slipped. He added he became unbalanced in the saddle and when he corrected his mount, it ran in. He added once his mount was not in a position to improve or lose its finishing position, he eased the gelding down over the final stages and his saddle shifted further. http://www.racingsw.com.au/Site/ content/rdbMeet/00046210-stewardsreportsourcefile.pdf
Imposition	28/1/17	Queanbeyan		David Pfeiffer	Jason Devrinol (a)	Imposition – Passing the 600m was eased from the heels of Sunbaker (M Travers) which shifted in when not clear. M Travers was reprimanded (AR137(a)). In the straight was inclined to lay out under pressure and near the 100m shifted out abruptly when its rider continued to use the whip. Trainer Mr D Pfeiffer was told that a warning would be recorded against the filly. Rider app J Devrinol was told that , that he should have either changed his whip to his left hand, or preferably put the whip away altogether and ridden his mount hands and heels only. A post-race veterinary examination revealed the filly to have mild heat stress . https://www.racingsw.com.au/wp-content/uploads/stewards_reports//28012017QBYN.pdf Video replay http://racing.racingsw.com.au/InteractiveForm/Meeting.aspx?meetcode=MjA1Nzc1MjgwMA== Go to race 4 and choose the 400m option. Horse has saddle no. 5 and rider in white silks (contrary to the black/yellow silks listed) with white cap and is shifting to the outside.
Brat Attack *****	29/4/16	Muswellbrook	Good 4	Ray Hartley	Kody Nestor	Race 8: Class 1 Handicap 1000m Brat Attack – raced fiercely when being steadied approaching the 600m, was held up for some distance rounding the home turn then raced greenly when placed under pressure and and became unbalanced passing the 200m.

Extreme Choice	19/3/16	Rosehill		Mick Price	Craig Newitt	Extreme Choice – the colt, which began awkwardly, had to be checked shortly afterwards when Sweet Sherry ran in abruptly. At the 1000m struck the running rail and had to be checked when Defcon, which was racing greenly, shifted in away from Star Turn (D Dunn), which shifted in, despite the efforts of its rider. At the 600m improved up onto the heels of Defcon and had to be steadied. Passing the 200m Extreme Choice had to be steadied when Telperion (J Doyle) J Doyle will be interviewed relative to this incident. Trainer Mr M Price stated that the colt will be spelled.
Delectation *****	7/2/15	Randwick	Good 3	Chris Waller	Hugh Bowman	“RACE 5: Eskimo Prince Stakes (Group 3) 1200m: Delectation – at the 200m, stepped in abruptly. H. Bowman stated that he was pulling the whip through to his right hand but had not used the whip to that point, and the only explanation he could offer was that Delectation He added that, as a result of this action, Delectation lost momentum and could not regain it when challenged shortly afterwards by the winner Scissor Kick. Trainer Mr C. Waller advised that Delectation had shown no indication in his races, trials or work to shift ground in the manner it did today.”
Threebytwo placed 8 th *****	12/7/14	Tamworth		Peter Sinclair	Ms Jessica Drury	“When questioned in relation to her ride J Drury (Threebytwo), explained that after beginning well her mount hung in in the early stages and felt awkward in its action . She said that passing the 800m Threebytwo was unbalanced and because of this, although she was losing ground relative to the lead, she was unable to place gelding under pressure. She stated that she was concerned with her mounts action approaching and rounding the home turn and after entering the home straight Threebytwo continued to hang in and extremely unbalanced . A post-race veterinary examination of Threebytwo revealed the gelding was lame , with soreness in its near fore fetlock and lame in the off hind . Trainer Mr. P Sinclair was told that prior to racing again Threebytwo would be required to undergo a full veterinary examination to determine its fitness.” <i>Jockey states horse felt awkward in its action and is concerned with it but horse still whipped and post race vetting confirms the poor state this horse was in.</i> Under the Rules jockey must “ride” the horse to the finish line.
Jesta Rollingstone 4 th	23/6/14	Goulburn		Graeme Spackman	Michael Travers	Passing the 200m this horse and made contact with Only Once which blundered.
Trojan Jim 2 nd by 3 lens	8/3/14	Tumut		Trevor Sutherland	Ms Megan Taylor (a)	Near the 150m this horse , resulting in its jockey becoming unbalanced.
Bright Future 5 th	14/2/14	Goulburn		Gerald Ryan	Damien Thornton (a)	“Bright Future raced greenly in the straight and approaching the 200m across the running of Sweet Chilli Girl, which was steadied.”
Orrstar placed 10 th /12	14/12/13	Albury		Neil Osborne	Mitchell Korn (a)	
Golden Aro 4 th	2/10/13	Canterbury		Gai Waterhouse	Tommy Berry	near the 100m, resulting in its jockey having to stop riding and straighten.

Photon Willie 1 st by 0.2 lens *****	17/8/13	Rosehill		Chris Waller	Glyn Schofield	“Passing the 50m Photon Willie, _____, taking Red Excitement in onto Burbero, resulting in both those runners being badly hampered. Trainer Mr C Waller stated that he would experiment with winkers, instruct his riders not to take their hands off the rein to hit the entire behind the saddle and endeavour to time Photon Willie’s run so that it does not get to the front too early in the straight. As this was the second occasion in three starts that Photon Willie had _____ over the concluding stages , Mr Waller was told that the entire must again go back to trial to show it can be more tractable.”
Photon Willie 1 st by 1.8 lens *****	17/7/13	Randwick		Chris Waller	Nash Rawiller	Jockey stated that his horse after getting to the lead wanted to pull up and _____, then _____ close to the finishing line. Inquiry was adjourned to 20/7/13 when trainer interviewed.
Bowl Of Cherries 8.2 lens 2 nd last	6/12/12	Gosford		Fred Cowell	Nathan Thomas	Jockey stated the mare was inclined to hang in badly under pressure and _____ near the 100m became awkward in its action and shifted in abruptly and as he felt there was something amiss, he did not test the mare over the final 100 metres. Post race vetting found the mare to have sustained a laceration to its off fore pastern. <i>Footnote:</i> Trainer was advised that a warning would be placed on the record of Bowl Of Cherries with regard to its racing manners.
Sun Command *****	24/11/12	Newcastle		John McNair	Nigel Seymour	This horse _____ Sir Berus making heavy contact with the hindquarter of this horse and turning that runner inwards across the running of Sir Berus which had to be checked away from the heels of Miniscule. Sir Berus was then further held up on the heels of Miniscule which shifted out slightly. Stewards did not find any rider error in the incident but attributed it to the abrupt shift in of Sun Command.”
Don't Put It There 1 st 0.4 lens	25/10/12	Hawkesbury		Jim & Greg Lee	Anthony Allen (a)	This horse became unbalanced _____ near the 100m.
Totally Alert	8/10/12	Leeton		Trevor Sutherland	Ronald Bell	“Passing the 200m Totally Alert _____ and became unbalanced. Totally Alert continued to hang out for the remainder of the race, proving difficult to ride out.”
Lay Down The Law *****	6/10/12	Newcastle		Ms Pam Webber	Nigel Seymour	“When questioned regarding his riding of Lay Down The Law, N Seymour explained that when he was obtaining clear running on straightening Lay Down The Law made contact with Test Missile, became unbalanced and commenced to lay in from that point. He said for this reason he was unable to fully test his mount inside the final 300 metres as he was concerned that _____ to Escarpment, which was racing back to his inside. He added that once he had cleared Escarpment near the 100m he then drew his whip , however Lay Down The Law _____ obliging him to stop riding and straighten his mount near the 50m.”
Love Of Liberty 2 nd by 0.1 len.	3/9/12	Wagga		David Hayes	Chad Schofield (a)	Approaching the 50m this _____

Red Letters 3 rd *****	13/8/12	Bathurst		Ms Sarah Murray-Leslie	Ms Jenny Duggan (a)	“When questioned regarding her riding of the third placegetter Red Letters over the concluding stages, rider App. J. Duggan stated that her mount was inclined to lay out badly under pressure in the early part of the straight. She added that near the 250m, she _____ on Red Letters however, the filly _____ across the running of We Own the Night, which was steadied. She added that shortly after the 200m, she again elected to use the whip on Red Letters under vigorous riding however, the filly _____ and proved difficult to correct. App. J. Duggan added that Red Letters continued to lay out under pressure over the concluding stages and proved difficult to ride, resulting in her relaxing her position in the saddle over the final 20m of the event. Bearing in mind the head margin between the second placegetter Little Miss Niquee and Red Letters and the racing manner of Red Letters, Stewards could not be satisfied that App. J. Duggan’s actions materially prejudiced the chances of Red Letters finishing second. Stewards nevertheless reminded App. J. Duggan of her obligations to ride her mounts out fully to the finishing line.”
Costings 5 th	22/6/12	Gosford		Jim & Greg Lee	Jacques Luxe (a)	At the entrance to the straight this horse shifted out and made contact with another. Costings _____ and had to be steadied away from the heels of Dane Stroller.
Blazing Odyssey 7 th	2/3/12	Taree		Alan Scorse	Jarrood Woodhouse (a)	This horse raced greenly during the middle stages and shortly after straightening _____ and crowded Nadeem’s Secret which was steadied.
Panic Press 2 nd	8/2/12	Kembla Grange		Ms Kristen Buchanan	Jay Ford	“ _____ near the 250 metres Panic Press _____ resulting in its rider J Ford having to stop riding and straighten the filly”.
Legend Of Rock 23.6 lens last	9/12/11	Canterbury		Ms Connie Greig	Josh Adams (a)	_____ near the 500m _____, resulting in Gold Bender being briefly crowded. Fulminate and Legend Of Rock were inclined to race greenly throughout the event and, when placed <u>under pressure</u> in the straight, hung out and proved <u>difficult to ride</u> .
Calzini Bianchi 2 nd	5/12/11	Taree		Neil Godbolt	Terry Treichel	This horse _____ near the 150m.
Streets Apart 4 th	1/11/11	Taree		Marc Quinn	Allan Chau	Passing the 200m this horse _____ and bumped heavily with Wratonbully.
Frankie Le Sausage 2 nd last	8/10/11			Timothy Grace	Lester Grace (a)	This horse hung out under pressure over the final 300m and _____ near the 150m
Urgent Bells 4 th	23/9/11	Canterbury		Kris Lees	Sam Clipperton (a)	This horse _____ approaching the 250m. and continued to shift ground outwards and could not be fully tested by its rider.
Blume 4 th	12/8/11	Wyong		Grahame Begg	Brenton Avdulla	Horse was inclined to hang out when placed under pressure in the straight and passing the 100m _____
Prince Warrior 1st	31/7/11	Narrandera	Good 3	Matthew Dale	Willie Pearson	Passing the 200m Prince Warrior _____
Rockbuster 4 th	11/6/11	Tamworth	Dead 4	Mack Griffith	Codie McPherson (a)	Rockbuster _____ at the 150m.

Bobundara 8 th	5/5/11	Gosford	Slow 6	Fred Cowell	Serg Lisnyy (a)	Horse raced greenly under pressure in the straight and passing the 150m
Tullamore 2 nd	20/4/11	Canterbury	Dead 4	Gai Waterhouse	Nash Rawiller	In Race 6 near the 200m Tullamore, for a short distance. Race 7, as N Rawiller became indisposed following his engagement on Tullamore in the prior event, Stewards permitted H Bowman to be substituted as the rider of Pomace Brandy. <i>It is believed Nash Rawiller was hit in the face when this horse got its head up.</i>
Rockbuster the favourite 2 nd	26/3/11	Narrabri	Dirt	Mack Griffith	Tim McIntosh	When placed under pressure inside the 200m Rockbuster hung out and inside the 150m resulting in its rider becoming unbalanced.
Hoolianne	26/2/11	Balranald	Good 3	Neil Nisbet	Ms Michelle Hagley	Near the 75m Hoolianne which raced greenly throughout, resulting in the rider becoming unbalanced for some distance. Trainer Mr Neil Nisbet was advised that an official warning will now be placed on the racing manners of Hoolianne.
Helmet 2 year old colt *****	19/2/11	Rosehill	Good 3	Peter Snowden	Kerrin McEvoy	at the 150m in a backhand manner, resulting in jockey being momentarily unbalanced. <i>Much controversy about this incident in the media. Could've brought many of the field down.</i>
Miss Kitty Kat	5/2/11	Grafton	Good 3	Mark Lynch	Craig Franklin	Passing the 200m Miss Kitty Kat and hampered Ozzibelle and Jaligan.
Chalet	21/1/11	Muswellbrook	Good 3			and hampered Choison
Persian Line	4.01.11	Taree	Good 3	Mrs L Molony		resulting in its rider becoming badly unbalanced. Warning placed on the horse.
Triple Elegance 2 nd the favourite *****	26/12/10	Randwick		Chris Waller	Nash Rawiller	"Near the 150m Triple Elegance reacted, attempted to buck and and lost ground resulting in the rider becoming unbalanced. When questioned, N Rawiller stated that he had used the whip only sparingly to that point. Trainer Mr C Waller indicated that Triple Elegance is a horse that is somewhat thin-skinned. A post race veterinary examination of Triple Elegance did not reveal any obvious persistent whip marks and there were no other abnormalities detected. Stewards advised Mr Waller that in future, when issuing instructions to riders of Triple Elegance, he should be mindful of the fact that the
Cocky Raider	4/12/10	Rosehill	Slow 7	David Payne	Taylor Lovelock-Wiggins (a)	near the 200m Cocky Raider towards the outside fence. 2 year old at its second start
Necessary Evil	12/11/10	Gundagai				
Marist Boy 2 nd	23/10/10	Broken Hill	Dirt	Harold Robertson	Scott Bailey	This horse in the straight.

Selkirk the favourite 12 th	23/10/10	Albury	Slow 6	Geoff Duryea	Richard Bensley	This horse jumped out of the barriers awkwardly. Near the 200m mark Following the apparent poor performance of this horse a post race vet examination found no obvious abnormalities.
Under Arrest	28/9/10	Kembla Grange	Good 3	Ron Quinton	Tye Angland	This horse overraced. This horse hung out resulting in Garvan being taken out onto Senor Dash which bumped President Elect resulting in both these runners becoming unbalanced. Near the 200m this horse which resulted in Garvan being taken out across the run of Senor Dash which was racing greenly and simultaneously shifting in resulting in Senor Dash, having to be checked when tightened for room between Garvan and President Elect. The jockey was reprimanded and advised that he and should have stopped riding and straightened his horse sooner than he did on this occasion.
Ollie Vollie	16/9/10	Newcastle	Good 3	Ms Sue Grills	Timothy Bell (a)	approaching the 50metres. The jockey explained he was riding the gelding in a hands and heels fashion before using the whip in a backhand manner and opined that Ollie Vollie had commenced to weaken, he attempted to pull the whip into the forehand, however, the whip became awkward in his hand which prevented him from riding the horse for two (2) strides near the 50m before he was able to resume riding the horse out hard with the whip in a backhand fashion.
Lonely Wind	15/9/10	Newcastle		Ms Kylie Gavenlock	Grant Buckley	The jockey stated this horse raced greenly throughout the race and (with his whip) on the second occasion approaching the 200m this horse resulting in him becoming unbalanced in the saddle. Trainer advised warning placed on this horse's racing manners. No disclosure of a post race vet examination.
Mettaya 21.9 lengths last	11/9/10	Griffith	Heavy 10	James Bolger	Ashlee Beer (a)	Near the 1200m this horse
Mr Too Big 2 nd	28/5/10	Casino	Dead 4	Brett Bellamy	Raymond Spokes	Near the 100m this horse and
Tha' Hab 9 th (the favourite)	24/5/10	Port Macquarie	Dead 5	Neil Godbolt	Marlon Dolendo	Approaching the 200m Tha' Hab and hampered Some Journey, Stage Left and Orotund.
Shoddy Juan EUTHANASED 8/5/10	8/5/2010	Wellington		C Thurston	Daniel Edmonds	"Stewards concluded an inquiry into the reason Shoddy Juan fell and dislodged its rider, jockey D. Edmonds, and Havahalf blundered and dislodged its rider, G. Ryan, near the 350m. Stewards established that approaching the 350m Shoddy Juan endeavoured to improve into running inside Lady of the Park. Shortly after Shoddy Juan and became awkwardly placed on the heels of Lady of the Park where it remained for a number of strides before clipping that runners heels, falling and dislodging its rider, jockey D. Edmonds. Shoddy Juan then commenced to roll outwards under the feet of Havahalf which blundered and dislodged its rider, jockey G. Ryan. Stewards' report link – Gilgandra 8 May 2010

						http://www.racingsw.com.au/wp-content/uploads/stewards_reports//08052010GILG.pdf then inquiry concluded supplementary report – Wellington 10 July 2010 http://www.racingsw.com.au/wp-content/uploads/stewards_reports//10072010WELL.pdf
Prince Of Wales 7 th	6/5/10	Gosford		Peter Eggleston	Ms Jodie Riley	This horse near the 100m and became unbalanced.
Be Unique 1 st	5/4/10	Wauchope	Dead 4	Ms Julie Hodder	Craig Franklin	Approaching the 150m mark this horse and hampered another.
Rehaab 1 st BOBS horse *****	19/4/10	Taree	Dead 4	D Smith	A Robinson	Over the concluding stages this horse resulting in its rider becoming unbalanced. A warning was placed on the racing manners of Rehaab.
Secret Dynamite Placed 9 th /11	1/1/10	Gundagai	Good 3	Scott Wade	Ms N Lye	This horse and became unbalanced.
Bermuda Bankroll 5 th	27/01/10	Wyong	Good 3	Gai Waterhouse	Nash Rawiller	Near the 50m mark this horse resulting in Superior Instinct and Elstrata being hampered.
Phi Gracely	23/1/10	Port Macquarie	Good 3	Brett Bellamy	M Fitzgerald (a)	Passing the 200m this horse and hampered Pimpala Corvette and Bay Forest.
Stratocruiser 4 th	26/12/09	Newcastle	Dead 4	G Rogerson	A Cavallo	At the 200m
Del Sophie	4/12/09	Coffs Harbour	Good 3	John Shelton	M Fitzgerald (a)	This horse near the 300m which resulted in two other horses being hampered.
Pontypool	3/11/09	Goulburn	Good 3	R Stachow	K Smith (a)	This horse obliging its rider to stop riding and straighten.
All Quiet 3 rd *****	3/11/09	Goulburn	Good 3	G Spackman	J Collins (a)	On two (2) occasions this horse . The jockey was advised by the stewards that when it became evident the horse had a tendency to <u>lay in</u> .
Forbidden Princess 3 rd	31/10/09	Newcastle	Good 3	John McNair	Ms Alex Stokes (a)	Near the 200m this horse resulting in Nailed being carried out and Shotibbar having to be steadied away from the heels of Nailed.
Elusive Touch 3 rd	1/10/09	Wyong	Good 3	Tim Martin	Chris Munce	Approaching the 50m Elusive Touch resulting in Sir Prancer having to be steadied away from the heels of that runner.

Super Secret 7 th *****	5/9/09	Newcastle	Dead 4	Paul Perry	T Lovelock- Wiggins (a)	Near the 300m mark this horse Avidity in onto Search The Stars. resulting in
Emotional Outburst	21/3/09	Rosehill Gardens	Dead 5	G Waterhouse	B Shinn	Brushed another horse then shifted out making contact with the hindquarter of another horse then shifted back in across the heels of another horse. At the 250m this horse hampering another two horses.
Tea for Two	9/3/09	Warwick Farm	Slow 7	B Warner	Ms K McEwen (a)	This horse and then contacted the running rail.
Universal Belief *****	14/3/09	Tuncurry	Good 3	J Delaney	D Peisley	and as a result made heavy contact with another horse ! Trainer was advised that prior to racing again Universal Belief would be required to barrier trial to steward's satisfaction on two consecutive occasions ! A post race vet examination of this gelding revealed he was sore in <u>both front legs.</u>
The Concierge	24/3/09	Taree	Good 3	D Smith	S Treweek	This gelding . The stewards placed a warning on the racing manners of this horse and if it performed similarly in the future it would be placed in barrier trials to rectify its habits.
Gunner Knox *****	20/12/08	Randwick	Good 3	G Portelli	N Berry (a)	This horse raced greenly, hung out on the home turn and then . Post race vet examination revealed this young colt to have sustained a wound to the near fore coronet.

Sourced from Racing New South Wales

NOTE: The horses with a row of *asterixes* below their name are the ones I included in my submission to Racing Australia re whip rules in 2016

<http://www.racingnsw.com.au/stewards-issue-everest-whip-rule-warning-2/>

As at 31.10.17 this article is on page 46 on the RNSW website under Media News & Premierships then drop down to Latest news – seems that link changes when archived (experienced this with some video replays)

<http://www.racingnsw.com.au/latest-news-display/Stewards-Issue-Everest-Whip-Rule-Warning/24179>

Friday, 13 October 2017

Stewards Issue Everest Whip Rule Warning

By Ray Hickson

Significant financial penalties, including loss of winning percentage, or even a protest will come into play if any rider flouts the whip rules in Saturday's \$10 million The TAB Everest.

Racing NSW chief steward Marc Van Gestel has warned stewards will take a negative view of any jockey that deliberately breaks the rules of racing in the feature sprint at Royal Randwick.

Van Gestel said on race day stewards will inform all 12 jockeys involved, who stand to win around \$290,000 for their percentage of first prizemoney, of their obligations under the rules of racing.

"We want the race run according to the rules and that's all rules, not just the whip rule," he said.

"If they do infringe their requirements to strike the horse no more than five times (before the 100m) potentially there will be significant penalties and that could include the forfeiture of the prizemoney.

"The rules allow us to actually rule the rider forfeits his entire percentage if they offend.

"We want to be upfront with the riders and say that's the deterrent - if you breach the rules that could potentially be the consequence."

Jockey Tye Angland was fined \$4000 after breaking the whip rule in winning the Spring Champion Stakes on Ace High last Saturday.

He used the whip nine times prior to the 100m plus each stride from there to the winning post.

The rule allows a jockey to strike a horse no more than 18 times in a race.

Prior to the 100m only five strikes are allowed then from the 100m a horse can be hit each stride to the post which is 13 times, provided the horse is responding and still in contention.

"If jockeys in the Everest, or any other race for that matter, are going to exceed the total that Tye Angland did on Ace High they can expect the penalty to be greater than a \$4000 fine," Van Gestel said.

But what about a protest?

Whip rule protests have been rare, and in some states stewards have basically said a whip rule protest could never be substantiated, Van Gestel said it's not out of the question under the right circumstances.

"If there's a significant breach and a small margin it may well be that the stewards could lodge an objection and give consideration to that," he said.

"We've never ruled it out but there may be a case where the stewards can be satisfied that a horse has gained an advantage or sustained its effort for a long period of time with illegal whip use."

Note: bold and underline in above article my emphasis

http://www.racingsnw.com.au/Site/_content/rdbMeet/00025517-stewardsreportsourcefile.pdf

“STEWARDS’ REPORT Hawkesbury Race Club CLARENDON RACECOURSE Sunday 11 December 2011
Weather: Fine then showery Track: Dead (5) – at 1.34pm Slow (6) – at 2.10pm Heavy (8) – at 3.27pm Heavy
(9) Rail: True position Penetrometer: 5.18

STEWARDS: R W Livingstone (Chairman), M F Van Gestel, C G Polglase and cadet D L Carr (mkm)

RACE 7 – Sweeties Confectionery Benchmark 60 Handicap 1400m Olinoor overraced in the early stages and approaching the first turn was steadied away from the heels of Prince Kristen. Aftadaka overraced badly in the middle stages. B Avdulla (Causin' Havoc) explained that the gelding never handled the heavy track conditions at any stage of the race. A post race veterinary examination of Causin' Havoc did not reveal any abnormalities. Stewards questioned apprentice A Hyeronimus (**Annubas**) relative to the post race condition of that gelding where a veterinary examination revealed **a number of welts** on the horse's thigh. Apprentice A Hyeronimus explained that he had purchased a new whip yesterday and this was the first race in which he had used it, however in his view he had used the whip in a conventional backhand manner and advised that he had not struck the horse with the seam of the padded whip. After viewing the stewards' patrol films which confirmed the evidence of apprentice A Hyeronimus the matter was adjourned pending a detailed inspection of the apprentice A Hyeronimus's whip which was confiscated by the stewards and further a subsequent veterinary examination of Annubas conducted by the stable veterinarian.”

<https://www.racing.com/horses/anubas-2005>

The above link confirms that this horse placed 2nd in the abovementioned race at Hawkesbury on 11 Dec 2011 and it was a fairly close finish.

http://www.racingsnw.com.au/Site/_content/rdbMeet/00026697-stewardsreportsourcefile.pdf

“STEWARDS REPORT Australian Turf Club KEMBLA GRANGE RACECOURSE Wednesday 14th December 2011
Weather: Fine Track: Heavy 8; upgraded to a Slow 7 at 1:25pm; upgraded to a Slow 6 at 2:34pm; upgraded to a Dead 5 at 3:49pm Rail: True

STEWARDS: J D Walshe (chairman) R W Livingstone, M F Van Gestel and Trainees K J Atherton and D J Bucknell

Supplementary

RACE 7 – Sweeties Confectionery Benchmark 60 Handicap 1400m Stewards today concluded their inquiry into the reason for welt marks being found on the hindquarter of **Anubas** following the running of this race. Trainer Mr P Webster advised stewards that a veterinary examination of Anubas the following morning had revealed that the welt marks had subsided and no evidence of any adverse reaction was detected. Stewards referred the whip of App. Hyeronimus to the manufacturer to inspect the whip and insure that it meets the specifications as determined by the Australian Racing Board. Whilst stewards accepted that **App. Hyeronimus had used his whip in accordance with the rules** he was nonetheless advised that particularly when riding this horse he should be mindful not to use the whip **in a manner** that may leave welt marks.”

It is my belief that when the Stewards refer to “in a manner” refers to this jockey's backhand use of the whip. I do know that the jockeys were perfecting the backhanders because there were no restrictions on them at that time.

The above incident is evidence that the use of the padded whip can cause injury to a horse.

This is the only reported and disclosed incident that I have of a racehorse in NSW sustaining obvious welt marks.

This jockey injured the horse and he was not charged and merely told to be mindful.

INQUIRY INTO THE COLLAPSE AND CATASTROPHIC INJURY SUSTAINED BY THE
RACEHORSE SANDANEY AT WARWICK FARM RACECOURSE ON 30 DECEMBER 2019.

RNSW Offices 20 January 2020 Drutt Street Sydney

Stewards: M F Van Gestel (Chairman) T P Moxon T J Vassallo Racing NSW Stewards today conducted an inquiry into a report received relative to the collapse and catastrophic injury sustained by the racehorse Sandaney at Warwick Farm racecourse on 30 December 2019.

Evidence today was taken from trainer of Sandaney Mr Rick Worthington, Stablehand Riders Mr Patrick Shanahan and Mr Bruno Neto, Trainers Mr Clarry Connors and Mr Bryce Heys, ATC Trackwork Supervisor Mr John McGarr, Mr Paul Messara representing Arrowfield Stud, the Owners of Sandaney, and Racing NSW Chief Veterinary Officer Dr Toby Koenig. A report and statement tendered by Dr James Whitfield from Randwick Equine Centre was also considered along with a necropsy report provided by the University Teaching Hospital Camden. Racing NSW Senior Investigator Ms Jacqueline Johnstone assisted the inquiry.

The evidence disclosed;

1. Sandaney was offered for sale at the 2018 Yearling Sales, but was passed in.
2. X-rays performed on the gelding in preparation for the yearling sales had revealed both fetlocks to have developed progressive osteoarthritic changes.
3. Sandaney was subject to arthroscopic surgery on 16 October 2018, whereby bone fragments were removed from the off fore fetlock joint.
4. Advice from the veterinarians was guarded to fair prognosis for Sandaney to race and after spending 12 months spelling under veterinary advice, the gelding was broken in and placed into light work.
5. Treatment records obtained from Arrowfield Stud did not reveal any treatments of concern that had indicated any lameness issue whilst spelling.
6. On 23 December 2019 Sandaney entered Mr Worthington's Warwick Farm stables for training, following being broken in at Mr Worthington's farm and there were no treatments provided to the gelding. Mr Worthington advised the horse had not displayed any lameness.
7. On 30 December 2019 Mr Shanahan rode the gelding in trackwork, however did not adhere to the directions of Mr Worthington to work the horse slow and on the "polo field" track, in that he worked Sandaney quicker than slow and was worked on the Polytrack.
8. During its trackwork Sandaney became distressed and commenced to tire near the 400m before collapsing and sustaining fractures to both forelimb sesamoid bones and being humanely euthanased.

Mr Patrick Shanahan

Charge 1 – AR231(1)(a) - Mr Shanahan pleaded guilty to a charge under AR231(1)(a) in that he committed an act of cruelty to Sandaney on the morning of 30 December 2019 by;

1. Despite being given instruction by trainer Mr Rick Worthington to work the gelding two laps slow on the "polo field" track (circumference 1000m) he decided without permission

of trainer Mr Rick Worthington to work Sandaney two laps on the Polytrack (circumference 1700m).

2. He worked Sandaney faster than slow work on the Polytrack and over a longer distance than instructed which contributed to the horse commencing to become distressed and tire near the 400m on the second lap of work.

3. He then committed an act of cruelty in that that he mistreated Sandaney by

a. Using a non-approved whip unreasonably and/or excessively on the gelding over the final 400m.

b. Continuing to encourage the gelding by pushing and/or riding it out over the final 400m

4. Such actions detailed above contributing to Sandaney collapsing near the winning post and sustaining catastrophic fractures to both forelimbs and being euthanised.

Penalty: 18 months disqualification reduced to 13 ½ months for guilty plea.

Disqualification commences 30 December 2019, the day Mr Shanahan was stood down, and to expire on 13 February 2021.

Charge 2 – AR132(1) – Mr Shanahan pleaded guilty to a charge under AR132(1) in that he carried a whip of design and specification not approved by Racing Australia at trackwork on 30 December 2019

Penalty: \$500 In assessing penalty for both charges Stewards took into consideration Mr Shanahan's guilty plea, his good record and remorse he exhibited. However, the Stewards also considered the seriousness of the matter and actions of Mr Shanahan. Further, the general principles that apply when issuing penalty

1. What message is to be given to Mr Shanahan to ensure that in the future this type of conduct is not repeated.

2. What general message is sent to the community at large to indicate to those who might be likeminded to engage in such conduct, what the likely consequences are.

3. To indicate to the broader community who are not likely to engage in the type of conduct that, should it be detected, the industry is operating at the highest possible welfare standards and serious penalties apply for those who breach the horse welfare rules.

Mr Rick Worthington

Mr Worthington pleaded guilty to a charge under AR103(4)(b) in that he failed to lodge a stable return for Sandaney when it entered his stable on 23 December 2019.

Penalty: \$400 (first offence)

Relevant Rules

AR 231 Care and welfare of horses

(1) A person must not:

(a) commit or commission an act of cruelty to a horse, or be in possession of any article or thing which, in the opinion of the Stewards, is capable of inflicting cruelty to a horse;

AR 132 Limits on the use of a whip by a rider

(1) A rider may only carry in races, official trials, jump-outs, or trackwork a padded whip of a design and specification approved by Racing Australia ("approved whip") which is in a satisfactory condition and has not been modified in any way.

AR 103 Trainers to lodge Stable Returns

(4) The trainer of a horse must:

(b) lodge a stable return immediately upon a horse joining the trainer's stable;

M F Van Gestel

Chairman of Stewards

General Manager - Integrity

WHIPPING ON THE FLANK

<p>Nothing Like Luca</p> <p>29.2 lens last</p> <p>10th/10 (\$1,000)</p> <p>1200m race</p> <p>Sydney Autumn Racing Carnival</p> <p>\$7/1</p>	<p>Randwick</p>	<p>26/4/14</p>	<p>Slow 6</p>	<p>Matthew Smith</p>	<p>Nash Rawiller</p>	<p>Horse aggravated an old <u>wound</u> to the inside of the nearside hock <u>en route to course</u>, vetted and passed fit to start.</p> <p>"When questioned, N Rawiller could offer no explanation for the disappointing effort of Nothing Like Luca and was at a loss to explain the post-race veterinary report that Nothing Like Luca had an abrasion to the offside flank. A post-race veterinary examination of Nothing Like Luca revealed the gelding had sustained an abrasion to the offside flank and to be displaying a poor post-race recovery." <i>Verbatim. Colour my emphasis.</i></p> <p><i>The fact horse appeared not to suffer abrasion en route, was not fractious in the barriers, did not suffer any interference or strike the running rail, tells me that horse sustained this abrasion from whipping, especially when the Stewards asked him to explain how horse sustained the abrasion, which is highly unusual.</i></p> <p><i>Never come across Stewards asking a jockey to explain the appearance of an abrasion on a horse post race.</i></p> <p><i>I believe whip marks were obvious in the vetting for the Stewards to take such action.</i></p> <p><i>Jockey is right handed (offside flank).</i></p> <p><i>This horse had just resumed from a forty-one (41) weeks spell (which might explain his being upset en route).</i></p> <p><i>What a torrid time this gelding had.</i></p> <p><i>As at 25/6/14 this horse has not re-appeared on a racetrack.</i></p> <p><i>This six year old gelding first trialled as a 2 year old on 18/1/10.</i></p> <p><i>Appears jockey did not breach any of the Whip Rules otherwise they would've charged him.</i></p> <p><i>I believe the force this hoop uses when whipping is severe.</i></p> <p><i>No mention that horse is particularly sensitive to being whipped which has come up a few times in my research e.g. Lord Tavistock.</i></p> <p><i>The Chief Steward, Ray Murrhy presided as Chairman at this meeting.</i></p> <p><i>As at 22/9/14 this horse has not reappeared. Trainer's name has gone - horse has gone. Career: 27: 6-1-5 \$165,675. And his last race was a misery for him. An unconscionable act.</i></p>
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ABRASION - Some dictionary meanings as follows:

The process of wearing [away](#) a surface by friction.

In [dermatology](#), an **abrasion** is a [wound](#) caused by superficial damage to the [skin](#), no deeper than the [epidermis](#). It is less severe than a [laceration](#), and bleeding, if present, is minimal. Mild abrasions, also known as *grazes* or *scrapes*, do not [scar](#) or bleed, but deep abrasions may lead to the formation of scar tissue. A more traumatic abrasion that removes all layers of skin is called an [avulsion](#).

Abrasion injuries most commonly occur when exposed skin comes into moving contact with a rough surface, causing a grinding or rubbing away of the upper layers of the epidermis.

By degree[[edit](#)]

- **A first-degree abrasion** involves only epidermal injury.
- **A second-degree abrasion** involves the epidermis as well as the dermis and may bleed slightly.
- **A third-degree abrasion** involves damage to the subcutaneous layer and the skin and is often called an [avulsion](#).

NOTE:

In the Sydney Morning Herald on 12 September 2011 there was an article written by Max Presnell which referred to a horse sustaining welt marks on the flank. **I have the newspaper cutting.**

*“Smart Missile went askew in the straight, for which **welts on the flank** is the latest explanation, and cost himself the main prize.....*

Baddock said Smart Missile came out of the Golden Rose ‘with a couple of welts on his flank. Even with the padded whips, if you hit the wrong spot around a sensitive area like the flank.....’ ”.

Andrew Baddock is the racing manager for Filipino squillionaire, Eduardo Cojuangco who flew to Australia in his private jet for Smart Missile’s race. Eduardo owns Gooree Pastoral, his racehorse stud at Mudgee (have been there and the breaker in is a lovely old bloke who really knows his stuff and is so kind and patient with these babies).

In early 2010, I was at Rosehill and noticed one of Gooree’s filly’s, Zutara, had been badly whipped by . I took photos. I phoned Gooree and asked if I could email the photos to them, when they received them they phoned me to say that they would show them to Andrew. My email also contained information about the sensitive flank area and how wrong it is to hit the horse there. I just felt that the time had come to approach an owner when I had indisputable evidence at the risk of them not giving a damn. Seems to me that it was worthwhile given the outcome 18 months later – it went public and Baddock took this opportunity and had no reservations in what he said much to the chagrin of others in the industry.