

Non Raceday Inquiry RIU v S Tomlinson - Decision dated 24 September 2018 - Chair, Mr D M Jackson

Rules:

Repondent(s)/Other parties:

Name(s):

Decisions:

BEFORE A JUDICIAL COMMITTEE

HELD AT CHRISTCHURCH

IN THE MATTER of the New Zealand Rules of Harness Racing

IN THE MATTER of Information No. A10862

BETWEEN Racing Integrity Unit

SHANE RENAULT

Informant

AND SHEREE TOMLINSON

Junior Driver

Respondent

Judicial Committee: DM Jackson (Chair) and DA Anderson

Rule Breach: 847(3)

DECISION OF JUDICIAL COMMITTEE DATED 24 SEPTEMBER 2018

1. This is the hearing of an Information laid on 14 September 2018 by Stipendiary Steward, Mr S Renault, against Ms S Tomlinson. It relates to Ms Tomlinson's drive in Race 8 at Addington that evening. The information alleged that Ms Tomlinson as the driver of CHRISTIAN LADY **"failed to have her chin strap securely fastened during the running"**.

2. Ordinarily, a charge of this nature would be dealt with by Stewards by way of minor infringement notice. However, Mr Renault explained that Ms Tomlinson left the course that night before he could deliver such a notice to her. He determined, properly, to lay this information as a result.

3. The charge was heard by this Committee by way of Non Raceday Inquiry at Addington on 21 September 2018 (also a race night at Addington).

4. Ms Tomlinson did not appear but indicated on the information and confirmed to Mr Renault that she admitted the charge and did not wish to appear. Accordingly, the charge is proved.

5. Rule 847(3) reads as follows –

"A horseman shall while seated in the sulky at a race meeting wear his safety helmet with the chin strap securely fastened."

6. Mr Renault explained to the Committee that the video footage of the race showed Ms Tomlinson's chin strap "flapping" during the run towards the finish line. Upon a closer analysis, Mr Renault could see - via close up shot of Ms Tomlinson - that the chin strap appeared to come loose whilst she activated gear on Christian Lady at the 400 metre mark or thereabouts. Mr Renault could not determine whether the chin strap had detached itself from its clip or whether the strap was tucked down Ms Tomlinson's skivvy.

7. In relation to penalty Mr Renault proposed that Ms Tomlinson be dealt with by way of fine as per the Minor Infringement tariff of \$200. We agree. Ms Tomlinson is fined \$200 for her breach of the Rule on this occasion. No costs were sought. There will be no order as to costs of the RIU or of the JCA.

David Jackson

Chair

Penalty: