

Canterbury R 26 June 2021 - R 2 - Chair, Mr R McKenzie

Rules:

[638\(3\)\(b\)\(ii\)](#)

Name(s):

S Toolooa
Licensed Apprentice Jockey
D M Walsh
Apprentice Jockey Mentor

Charge:

Facts:

admitted

Following the running of Race 2, Mechanix Bishopdale Rating 74, an Information was filed by Chief Stipendiary Steward, Mr J P Oatham, against Licensed Apprentice Jockey (Class B), Mr S Toolooa, alleging a breach of Rule 638 (3) (b) (ii) for "whip use prior to the 100 metres".

Mr Toolooa was present at the hearing of the Information and he indicated that he understood the charge and that he admitted the breach. He was assisted at the hearing by Apprentice Jockey Mentor, Mr D M Walsh.

Rule 638 provides as follows:

(3) A Rider shall not:

(b) strike a horse with a whip in a manner or to an extent which is:

(ii) excessive

The NZTR Directive regarding Acceptable Use of the Whip provides as follows:

Without affecting the generality of Rule 638(3)(b), a rider may be penalised if their whip use is outside of the following guidelines:

Prior to the 100-metre mark in a race, official trial or jump out:

(i) The whip should not be used on more than 5 occasions.

(ii) The whip should not be used in consecutive strides.

(iii) The rider may at their discretion use the whip with a slapping motion down the shoulder, with the whip hand remaining on the reins.

Mr Oatham showed a video replay of the final 400 metres of the race. He pointed out GERRY JOYCE, ridden by Mr Toolooa, 3-wide and disputing the lead as the field rounded the home turn. Shortly thereafter, Mr Toolooa commenced using his whip and, Mr Oatham submitted, used it on eight occasions, prior to reaching the 100 metres mark on the running rail. The strikes were well-spaced, Mr Oatham said.

Mr Walsh said that the number of strikes was outside the Guidelines but there was no force in the strikes and they were broken up. He has spoken to Mr Toolooa about keeping his hand on the horse's neck, he said.

Decision:

Mr Toolooa has admitted the breach and, accordingly, the charge is found proved.