

## NZ Metropolitan TC 20 June 2021 - R 1 - Chair, Ms O Jarvis

### Rules:

[869\(2\)](#)

### Name(s):

Ms M McIntyre - Licensed Amateur Driver

### Charge:

### Facts:

admitted

Following the running of Race 1, the Mid-Winter at Addington (Amateur Drivers) Mobile Race, an Information was filed by Stipendiary Steward, Mr P Williams against Licensed Amateur Driver, Ms M McIntyre, alleging a breach of Rule 869(2) in that she used her whip with more than a wrist flicking motion driving AUCHTERCAIRN on the final bend and in the home straight.

Ms McIntyre acknowledged that she understood the provisions of the charge and the Rule under which it was brought. Ms McIntyre confirmed at the hearing that she admitted the breach.

Rule 869(2) reads as follows:

*869 (2) No horseman shall during any race use a whip in a manner in contravention of the Use of the Whip Regulations made by the Board.*

Relevant Part of the Whip & Rein Regulations as follows:

#### WHIP AND REIN REGULATIONS

#### PART 3 USE OF THE WHIP

*3.1 A driver may only apply the whip in a wrist only flicking motion whilst holding a rein in each hand with the tip of the whip pointed forward in an action which does not engage the shoulder.*

*3.2 For the purposes of clause 3.1, "wrist only flicking motion" means:*

*3.2.1 Ensuring no force is generated by the use of the elbow or shoulder when applying the whip.*

*3.2.2 The forearm is not raised beyond forty-five degrees relative to the racing surface.*

*3.2.3 Not applying the whip with overt force.*

Mr Williams showed the video replays of the final bend and the run home. He pointed out Ms McIntyre, driving AUCHTERCAIRN. Mr Williams then evidenced, utilising the video replays, Ms McIntyre use her whip in more than a wrist flicking motion on the final bend. Ms McIntyre then returned to a compliant style before then returning to more than a wrist flicking motion down the home straight. Mr Williams outlined that there was in excess of 10 strikes that were not compliant.

Ms McIntyre stated that she accepted that the video replays showed that she had used more than a wrist flicking motion. However, Ms McIntyre did not accept all of the non-compliant strikes that were suggested by Mr Williams. Ms McIntyre also pointed out that she had not continuously used more than a wrist flicking action but rather had reverted to a compliant style before again using more than a wrist flicking action.

### Decision:

As the breach was admitted it was found proved by the Committee.