

## APPEAL PANEL OF RACING NEW SOUTH WALES

### IN THE MATTER OF THE APPEAL OF APPRENTICE JOCKEY KYLE WILSON-TAYLOR

Heard at Racing NSW Offices

Appeal Panel: **Mr L. Vellis - Convenor; Mr P. Losh; Mr J. Murphy**  
Representatives: **Appellant - Mr P. O'Sullivan**  
**Racing NSW - Mr M. Van Gestel, Chairman of Stewards**  
Date of Hearing: **21 October 2022**  
Date of Reasons and Orders: **21 October 2022**

### REASONS FOR DECISION

1. Apprentice jockey Kyle Wilson-Taylor (**appellant**) was charged with a breach of the careless riding rule (AR131(a)) following his ride on *Weona Smartone* in Race 6 at Randwick Racecourse in the Group 3 Fujitsu General Sydney Stakes run over 1,200 metres on 15 October 2022.
2. The particulars of the charge brought against the appellant were as follows:  
*"..., you did allow your mount Weona Smartone to shift out over the concluding stages when not clear of Remarque, ridden by Hugh Bowman, resulting in Remarque losing its rightful running at that point and having to be steadied."*
3. The appellant pleaded guilty to breach of the rule. The Stewards assessed the appellant's carelessness as "medium" grade, with the consequence of that carelessness being that Hugh Bowman's mount had to be steadied and lost its rightful running. Applying the Careless Riding Penalty Template, a penalty of a suspension of the appellant's licence to ride in races for seven meetings was imposed.
4. The appellant has appealed against the severity of the penalty imposed upon him. He was represented on appeal by Mr P. O'Sullivan, while the Stewards were represented by Mr M. Van Gestel, the Chairman of Stewards.
5. An appeal book was tendered that contained the transcript of the Stewards' Inquiry into the race (Ex. A), as was film of the race (Ex. B). The appellant also gave oral evidence.
6. The appeal involved only three issues:
  - I. Should the carelessness be graded as "low" instead of "medium"?

- II. Should any further discount of penalty be applied because of the loss of a ride by the appellant on Weona Smartone in the \$3 million Nature Strip Stakes on Golden Eagle Day at Rosehill Racecourse on 29 October 2022?
  - III. should the Beaumont Newcastle race meeting on 24 October 2022 be included as a meeting for purposes of the suspension?
7. All members of the Panel were in no doubt that in the concluding stages the appellant did not correct his mount, causing the interference as particularised, and Mr Bowman on Remarque, who was only about a length behind the appellant, lost his rightful running.
  8. All members of the Panel agree with the classification of medium grade carelessness.
  9. The Panel also accepts the evidence of the appellant with respect to applying a feature race discount for his lost ride on Weona Smartone in the Nature Strip Stakes. Consistent with the Careless Riding Penalty Template, the Panel has applied a 10% feature race discount, which will result in the seven meeting suspension being reduced to six meetings.
  10. The Panel does not agree that the Beaumont Newcastle meeting to be held on 24 October 2022 should be counted in the suspension,. It is classified as a country meeting and the Panel is not minded to disturb that classification.
  11. The orders of the Panel are:
    - I. Appeal against severity of penalty for breach of AR131(a) upheld.
    - II. In lieu of a seven meeting suspension, the appellant's licence to ride is suspended for six meetings. The suspension is to commence on 17 October 2022 and expires on 28 October 2022, on which day the appellant may ride.
    - III. Appeal deposit to be refunded.

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