

**APPEAL - 019**

**DETERMINATION AND REASONS FOR DETERMINATION OF THE  
RACING PENALTIES APPEAL TRIBUNAL**

**APPELLANT :**                      **PETER DARREN KNUCKEY**

**APPLICATION NO.:**              **A30/08/24**

**PANEL:**                            **MR D. MOSSENSON (Chairman)**  
   **MR J. SYME (Member)**  
   **MR T. MULLIGAN (Member)**

**DATE OF HEARING:**            **8 AUGUST 1991**

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IN THE MATTER OF an appeal by Peter Darren Knuckey against the decision of the Western Australian Turf Club Stewards on 3 August 1991 suspending Mr Knuckey from riding until midnight 3 September 1991 for failing to ride his horse out to the end of the race in breach of Rule 137(b).

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The Rule in question specifies that:

"Any rider may be punished if, in the opinion of the Stewards:

- (a) He is guilty of careless, improper, incompetent or foul riding, or
- (b) He fails to ride his horse out to the end of the race".

The key words in that provision for the purposes of our deliberation are 'in the opinion of the Stewards'.

In the circumstances of this appeal we are satisfied that the appellant did in fact fail to ride his horse out to the end of the race. There were however extenuating circumstances including the confusion caused by the advertising signs, the marking on the false rail, the inexperience of the rider and the weather conditions. Despite these extenuating circumstances, the Tribunal is not able to upset the opinion which was reached by the Stewards and accordingly the Tribunal has no alternative but to confirm the conviction.

The Tribunal is satisfied that the extenuating circumstances do justify varying the penalty which was imposed. The penalty is varied by remitting the balance of the suspension which has not yet been served.



DAN MOSSENSON, CHAIRMAN

28<sup>th</sup> August 1991