

# APPEAL PANEL OF RACING NEW SOUTH WALES

## IN THE MATTER OF THE APPEAL OF LICENSED JOCKEY MS. ELLEN HENNESSEY

Heard at Racing NSW Offices

Appeal Panel: **Mr T O'Callaghan - Convenor; Mrs J Foley; Mr C Tuck**

Representatives: **Appellant – Self Represented**

**Racing NSW - Mr S Railton - Chairman of Stewards**

Date of Hearing: **18 February 2025**

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### REASONS FOR DECISION

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#### **T O'CALLAGHAN: PANEL CONVENOR**

This is an Appeal by Ellen Hennessey against the penalty imposed upon her by the Stewards on 11/2/2025 for a breach of AR132(7)(a)(ii) in the excessive use of the whip when riding Beograd Boy in Race 1 at a meeting at Goulburn Racecourse that day. The penalty was suspension for nine days.

The Stewards Inquiry was conducted on the basis, as set out in the document "*Rider Penalty Guidelines for Whip Rule Breaches*" ("the Penalty Guidelines") that Ms Hennessey's record had refreshed after 29 March 2024, so that, for the purposes of the application of those guidelines to the breach in question, Ms Hennessey had had two prior offences. In those circumstances, the applicable penalty was "Suspension of up to 2 weeks".

In the Notice of Appeal, Ms Hennessey stated her grounds of appeal as: "(It) was a heavy track. Horse was making good ground". When asked by the Panel whether she had any further grounds of appeal to advance, she replied that she did not.

In reply, Mr Railton submitted that those reasons were irrelevant to the Stewards' decision.

In answer to a question from the Panel, Mr Railton advised that the Penalty Guidelines were well-known to riders generally, had been developed in consultation with the Jockeys Association, and had been in force since 2009.

Mr Railton then tendered a document titled “*Whip Breaches under AR 132(7)(a)(ii)*”. That document was a list of offences and corresponding penalties for the period 16/3/24 to 3/2/25, and showed that, of the four cases involving a third offence (as is the case here), the penalty was that of Suspension for 2 weeks. (The remaining case that involved a penalty of 8 days.)

- 40 The Panel accepts the submission of Mr Railton on behalf of Racing New South Wales, and, accordingly, has determined that the Appeal should be dismissed.

The orders of the Panel are:

(a) Appeal dismissed.

(b) Appeal deposit forfeited.