

DETERMINATION AND REASONS FOR DETERMINATION OF  
THE RACING PENALTIES APPEAL TRIBUNAL

APPLICANT: VICKI ANNETTE LANE  
APPLICATION NO: A30/08/534  
PANEL: MR D MOSSENSON (CHAIRPERSON)  
DATE OF HEARING: 23 JULY 2001  
DATE OF DETERMINATION: 23 JULY 2001

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IN THE MATTER OF an application for leave to appeal by Vicki Annette Lane against the determination made by the Committee of the Western Australian Turf Club on 12 June 2001 refusing to approve a transfer of the stables.

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Mr B Singleton QC appeared for the applicant.

Mr R J Davies QC, assisted by Mr A Carr, instructed by Freehills, appeared for the Western Australian Turf Club Committee.

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This is an application for leave to appeal made pursuant to section 13(1)(d) of the *Racing Penalties (Appeals) Act* against a decision of the Committee of the Western Australian Turf Club which refused to transfer the stables of the applicant.

The ground for the application reads that the decision was unfair, unjust and discriminatory.

I have had the benefit of reading the papers that were presented to me in the file as well as some additional material that was tendered from the bar table. I have heard the evidence from Ms Lane and have listened with interest to the submissions of both counsel.

I am not persuaded in all of the circumstances of the matter that it is appropriate to grant leave to appeal. I am satisfied that the information before me does not reflect anything to suggest that the Committee has fallen into error in arriving at its decision. The refusal to grant the approval to transfer is something that has been explained quite clearly by Mr Davies QC on behalf of the Committee as a matter of some public interest in terms of the appearance of proper supervision in relation to a disqualified person who is engaged to the applicant. The factual material supports the appropriateness of the Committee's decision.

For that reason leave to appeal is refused.



DAN MOSSENSON, CHAIRPERSON

