

Media Release

Racing Appeals & Disciplinary Board

Result of the appeals held before the HRV Racing Appeals and Disciplinary Board on 6 January 2016.

Tina Ridis

Against a 4 week suspension / \$500 fine imposed by the stewards under Rule 149(1) and 231(2) at the Ballarat meeting on 8 December 2015.

Appeal dismissed. Penalty varied to 3 weeks. Fine of \$500 wholly suspended for 12 months.

HRV RAD Board Panel: Brian Collis QC (Chairman), Brian Pearce

Appellant Representative: Lance Justice
HRV Representative: Mark Hill

Jim O'Sullivan

Against a 2 week suspension imposed by the stewards under Rule 163(1)(a) at the Maryborough meeting on 17 December 2015.

Appeal dismissed. Penalty varied to 7 days

HRV RAD Board Panel: Brian Collis QC (Chairman), Brian Pearce

Appellant Representative: Self
HRV Representative: Nathan Moy

TRANSCRIPT OF PROCEEDINGS

RACING AND DISCIPLINARY BOARD

BRIAN COLLIS QC, Chairman

MR BRIAN PEARCE

EXTRACT OF PROCEEDINGS

TINA RIDIS

DECISION

WEDNESDAY 6 JANUARY 2016

Mr M HILL appeared on behalf of the HRV Stewards

MR LANCE JUSTICE appeared on behalf of MS RIDIS

The Board has considered the evidence given at the stewards inquiry on the 8th December and 12th of December last year, the video footage of the race and the submissions of each of the parties this day. Also have been shown a video of the previous win of this horse at Hamilton on 15th May and have also been given the performance record of the horse and the race results. We note the comments of Judge Goran in the matter of Honan, it is a time honoured decision back down on the 26th of October 1983, namely that this particular rule 149(1) does not permit the mere substitution of the stewards view as to how a particular horse should be driven and the rule does not seek to punish a mere error of judgement and the rule attempts to ensure not merely that a horse has a winning chance in a race but that given its inability to win it will still do the best it can in the circumstances. The rule demands that the measures of the driver must be reasonable and permissible and the unreasonableness of a driver's tactic in breach of this rule must be culpable and that is blame worthy and that the driver carries the weight of the public money and the reputation of the sport. It has been submitted by Mr Justice that the tactics adopted by Mr Ridis on this occasion were reasonable. The horse was well performed and had won four of its previous eight starts. That it was a front running horse and that the horse which it challenged for the lead had on previous occasions handed up the lead when so challenged, therefore

The Racing Appeals & Disciplinary Board (RADB) is established under section 50B of the Racing Act (1958). The RADB is an independent Board established to hear and determine appeals in relation to decisions made under the rules to impose penalties on persons and to hear and determine charges made against persons for serious offences.

there was nothing untoward as far as the tactics adopted by Ms Ridis on this occasion. Against that the stewards say this was the longest race in which this horse had ever participated, it was a race of some 2710 metres and Ms Ridis had driven the horse regularly since 20 May 2015. They also say that this horse started off a 40 metre handicap and that the lead time was some seconds faster than average. They had no problem with the fact that the horse began well and challenged for the lead at or about the 2400 metre mark. Their criticism is that the tactics adopted on this occasion were unreasonable in that she persisted with this challenge up until approximately the 2000 metre mark. And we note it was clearly indicated during the race to Ms Ridis that the lead was not going to be handed up however she persisted for the lead. It is clear from the observations of the race that the horse tired badly from the 600 metre mark and although the leader had handed up the lead on previous occasions it was indicated on this occasion it was not going to be handed up and even though some considerable time ago it had shown it could hold the lead throughout a race and in fact that is what happened on this particular occasion. The Board is satisfied on the balance of probabilities that in persisting with this challenge over this particular distance that her tactics were blameworthy within the meaning of the rule and that her horse was not given full opportunity to win or obtain the best possible placing so we dismiss the appeal with respect to the conviction of breach of Rule 149(1). Penalty – the Board substitutes the suspension from 4 weeks to 3 weeks and wholly suspended the fine of \$500 for 12 months imposed for a breach of Rule 231(2) for misconduct at the inquiry of 8 December 2015, because of mitigating circumstances.

TRANSCRIPT OF PROCEEDINGS

RACING AND DISCIPLINARY BOARD

BRIAN COLLIS QC, Chairman

MR BRIAN PEARCE

EXTRACT OF PROCEEDINGS

JIM O'SULLIVAN

DECISION

WEDNESDAY 6 JANUARY 2016

Mr N MOY appeared on behalf of the HRV Stewards

MR O'SULLIVAN appeared on his own behalf

The Board has considered the evidence given at the stewards inquiry on the 17th of December, and in particular we note the statements of Mr Tippet made in the inquiry. We have observed the video footage of the race and we have considered the submissions of each of the parties this day and we have been given the race result and the performance history of the horse. The stewards case is that racing around the first turn that Mr O'Sullivan allowed his horse to shift inwards and Mr Moy said he had a clear view of this particular shift from the stewards tower and that that contributed or caused some interference to the horse driven by Mr Tippet. Mr O'Sullivan stated that he did not allow his horse to shift inwards. However the Board finds on the balance of probabilities that he did so allow his horse to shift inwards and this has contributed to some inference to Mr Tippet's horse. The Board also finds that Mr Tippet's horse raced greenly and this was a relevant factor as well. The Board dismisses the appeal with respect to conviction but the Board felt it was a very line ball decision. Penalty – the Board substitutes the suspension from 2 weeks to 7 days.