18 October 2021

**DECISION**

**RACING VICTORIA**

**and**

**JOHN ALLEN**

**Date of hearing:** 6 October 2021

**Panel:** Judge John Bowman (Chairperson).

**Appearances:** Mr Rob Montgomery appeared on behalf of the Stewards.

Mr Matthew Hyland represented Mr John Allen.

**Charge:** Australian Rule of Racing (“AR”) 131(a) states:

 A rider must not, in the opinion of the Stewards:

(a) engage in careless, reckless, improper, incompetent or foul riding.

**Particulars of charge:** MrJohn Allen (Senegalia) pleaded guilty to a charge of careless riding under the provisions of AR131(a), the careless riding being that near the 300 metres, he permitted his mount to shift out to obtain clear running when not sufficiently clear of Finanza D'Oro, resulting in that colt being steadied away from Senegalia's heels.

**Plea:** Guilty

**DECISION**

Mr John Allen, you are appealing against the severity of the penalty imposed on you by Stewards in relation to your ride on Senegalia in Race 1 at Moonee Valley on Friday, 1 October 2021. You were charged with careless riding, to which you have pleaded guilty. The Stewards imposed a penalty of suspension of 8 meetings. The carelessness alleged occurred approximately 300 metres from the finishing post, or perhaps a little closer. You were two horses out from the rail. The charge is that you shifted out further when insufficiently clear of Finanza D’oro, ridden by Mr Lachlan King. To his outside was Mr Zac Spain and ahead of you and two horses off the fence was Ms Linda Meech. You were pulling out to get around her horse.

I have viewed the video many times and examined the still shots extracted from it. The Tower 2 vision gives the clearest pictures of what occurred. There is no doubt but that you steered your horse out from behind Linda Meech’s mount. When you did so, you were not sufficiently clear of Lachlan King. Noticeable interference was caused to his mount, but fortunately there was no clipping of heels. He had to restrain his horse and pull its head to the right. I accept that there was space between him and Zac Spain, but nevertheless his horse’s head had to be turned sharply and it appeared to lose some ground. It may be that immediately prior to or at the same time as the incident, Lachlan King’s horse had moved in a little and he gave it one hit with the whip. However, the fact remains that your horse moving out to get around Linda Meech when not sufficiently clear of Lachlan King was what caused the interference. Any contribution by his horse was minor, if it existed at all.

You are a particularly busy jockey, who had made a giant success of moving from being a jumps jockey, originally from Ireland, to become a leading rider on the flat. You have had something approaching a thousand rides in the last year and a lot of winners. You are to be congratulated for all of that. However, you have had two suspensions for careless riding in the last five or six months. Your record, whilst good in the circumstances, is certainly not perfect.

I appreciate that this suspension will cause you to miss an important Spring Carnival Saturday meeting. However, it seems to me that, in all the circumstances an eight meeting suspension is fair and reasonable. Your appeal is dismissed.

Mark Howard
Registrar, Victorian Racing Tribunal