24 June 2022

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**RYAN SANDERSON**

**Date of hearing:** 7 June 2022

**Panel:** Magistrate John Doherty (Deputy Chairperson) and Dr June Smith.

**Appearances:** Mr Grant Adams appeared on behalf of the Stewards.

Mr Neale Scott represented Mr Ryan Sanderson.

Mr Ryan Sanderson attended the hearing.

**Charge:** Australian Harness Racing Rule (“AHRR”) 163(1)(a)(iii) states:

(1) A driver shall not -

(a) cause or contribute to any

(iii) interference.

**Particulars of charge:** Ryan Sanderson, the driver of “Hidden Figure” was found guilty of a charge under AHRR 163(1)(a)(iii) for causing interference in that on approach to the first turn, he had permitted his mare to shift in when not clear of “Dontshowyouraces”, resulting in that runner being tightened, contacting the sulky wheel of Hidden Figure and being checked. Following the incident, Hidden Figure broke gait, shifted in and made heavy contact with Dontshowyouraces which broke gait and in addition, “Fiftyshades Cresco”, “Vieira”, “Kitch Macray”, “Mista Pumblechook”, “Unethical”, “Stonebridge Star” and “Bella Blondie” were all hampered to various degrees. Mr Sanderson had his licence to drive in races suspended for a period of 3 weeks which was ordered to commence at midnight, Thursday 13 January 2022 and to expire on Friday 4 February 2022 on which day he may drive. When considering penalty Stewards took into account Mr Sanderson’s plea, driving and offence record.

**Plea:** Not Guilty

**DECISION**

Mr Ryan Sanderson was the driver of horse no. 3, “Hidden Figure”. Mr Dwayne Locke was driving horse no. 2, “Dontshowyouraces”, Mr Sam Barker drove horse no. 1, “Good Onya” and Mr Andrew Vozlic drove horse no. 4, “Fiftyshades Cresco”.

At the commencement of the race, horse no. 1 was racing one horse away from the inside rail position. It is clear from the vision that on two occasions before the winning post on the first lap that horse no. 4 has moved down the track towards horse no. 3. There has been contact or very nearly contact of their sulkies. This has forced horse no. 3 to move away from horse no. 4 and in towards horse no. 2. At the 28 second time check on the video, Mr Locke can be observed restraining horse no. 2, with the result that its head is turned out at about a 45 degree angle and in towards horse no. 1. At this stage, horse no. 2 is not pacing roughly.

In his evidence to Stewards, Mr Locke conceded that as he observed Mr Sanderson’s horse coming down towards him from Mr Vozlic’s horse, his own horse, may have been coming up the track. This is also consistent with what Mr Sanderson told Stewards at their inquiry and that he was, in effect, pressured by both horses no. 2 and no. 4 coming in on him.

It is clear that there may have been contact with the sulky of horse no. 3 and the off foreleg of horse no. 2 at around the 29 – 31 second time check on the Stewards video, but that did not result in horse no. 2 breaking at that point. Horse no. 2 continued to race and it is at the 33 second time check that Mr Sanderson’s horse, which is then well clear and away from horse no. 2, first breaks and therefore, horse no. 2 breaks gait.

In these circumstances, we are not comfortably satisfied that the charge against Mr Sanderson is made out. The appeal is upheld and the charge against him is dismissed.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal