8 February 2021

**DECISION**

**RACING VICTORIA**

**and**

**WILL GORDON**

**Date of hearing:** 28 January 2021

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

**Appearances:** Mr Geoff Hausfeld appeared on behalf of the Stewards.

Mr James Winks represented Mr Will Gordon.

Mr Will Gordon appeared.

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

A rider must not, in the opinion of the Stewards, engage in careless, reckless, improper, incompetent or foul riding.

**Particulars of charge:** Will Gordon (Sebsilk) pleaded guilty to a charge of careless riding under the provisions of AR131(a), the careless riding being that near the 50 metres, he permitted his mount to shift in whilst riding along with the whip when not sufficiently clear of Tai Shan, resulting in that gelding being tightened for room and having to be checked. Will Gordon had his licence to ride in races suspended for a period to commence midnight 30 January 2021 to expire midnight 5 February 2021, a total of eight race meetings (2 metropolitan, 6 provincial). In assessing penalty Stewards took into account his guilty plea, very good record, the slight contribution of In The Fast Lane to the incident and that the carelessness was in the low range.

**Plea:** Guilty

**DECISION**

Mr Will Gordon, you have pleaded “guilty” to a charge of careless riding. It arises out of your ride on “Sebsilk” in Race 6 over 1300 metres at Geelong on 24 January 2021. It is alleged that, in approximately the last 50 metres, whilst using the whip and riding your mount out, you caused interference to “Tai Shan”, ridden by Ms Madison Lloyd. Your horse was to her outside. Also involved was “In the Fast Lane”, ridden by Mr Dean Holland. His horse was on Ms Lloyd’s inside and did shift out in the last 50 metres, although his movement was closer to the finishing post. The Stewards imposed a penalty of suspension for eight meetings.

The whole point of this appeal, as presented by Mr James Winks on your behalf, is that there was a contribution to the interference by Mr Holland. It was a considerably lesser contribution than yours. However, there was a definite shift out close to the post and, like you, Mr Holland continued to use the whip throughout.

When interviewed by the Stewards, Ms Lloyd at first said that she wasn’t quite sure whether the trouble came from the outside, which was you, or the inside, which was Mr Holland. After watching the video, she said “the outside mount, but then Mr Holland has moved out a little bit as well”. That is probably not a bad summary of the situation.

You have a very good record. You have had in excess of 250 rides since your last careless riding suspension. You have pleaded guilty from the outset. Eight meetings is quite frequently the penalty for low range interference by someone with a very good record and pleading guilty.

In all the circumstances, it seems to me that you are entitled to a reduction in your penalty because of the contribution of Mr Holland to what occurred. The appeal is upheld and the penalty is reduced to a suspension for seven meetings. That may sound like tinkering, but in the circumstances of this case, it is an appropriate reduction.

Mark Howard
Registrar, Victorian Racing Tribunal