18 September 2020

**DECISION**

**RACING VICTORIA**

**and**

**MR LIAM RIORDAN**

**Date of hearing:** 9 September 2020

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

**Appearances:** Mr Peter Ryan appeared on behalf of the Stewards.

Mr Brent Thomson appeared on behalf of Mr Riordan.

**Charge:** Australian Rule (AR)131(b) states a rider must not, in the opinion of the Stewards:

(b) fail to ride his or her horse out to the end of the race and/or approaching the end of the race;

**Particulars of charge:** Liam Riordan pleaded guilty to a charge under AR131(b) in that as the rider of equal first placegetter, Diamond Thora he failed to ride his mount out to the end of the race. Liam Riordan had his license to ride in races suspended for a period to commence midnight Saturday, 5 September 2020 and to expire at midnight Friday, 18 September 2020, a total of 13 meetings (three metropolitan and ten provincial). In assessing penalty Stewards took into account his plea, record and that in the opinion of the Stewards his actions effected the result of the race.

**Plea:** Guilty

**DECISION**

Mr Liam Riordan, you have pleaded ‘guilty’ to a breach of AR131(b), which involves a failure to ride a mount out to the end of the race. The race involved was Race 3 at Donald on Friday, 4 September 2020. You were riding ‘Diamond Thora’. It in fact dead-heated for first. Mr Peter Ryan was the chairman of the group of Stewards on duty. You had the assistance of Mr Craig Newitt during the Stewards’ hearing. The end result was that you were suspended for 13 meetings, allowing you to return to race riding on Saturday, 19 September 2020.

I have viewed the video many times. Mr Ryan very fairly said that the head on and rear on angles are of no use. It is impossible to work out exactly where the finishing line was, and this case involves a dropping of the hands particularly close to that line. Even the Stewards side on vision is far from conclusive, it being taken from a position not right on the line.

I say now that, if the only evidence had been the video material, I would have taken a lot of convincing that the charge had been made out.

However, it was not the only evidence and I would stress the following two points.

Firstly, I had the benefit of the evidence of Mr Ryan. He is a most experienced Steward. He put the position of the Stewards very fairly and I accept the accuracy of his observations.

Secondly, you, Mr Riordan, have very properly pleaded ‘guilty’. In what might have been considered to be a border line case, you have pleaded guilty from the outset.

Further, you had the benefit of assistance and advice from a very experienced jockey in Mr Craig Newitt on the day and have had the benefit of a very experienced former jockey in Mr Brent Thomson at the hearing. As I understand it, Mr Thomson has given assistance and coaching to young jockeys and is doing so with you. Both of these highly experienced jockeys have advised you and your ongoing plea of ‘guilty’ is the result. That is to the credit of all involved.

Turning to penalty, this case has another unusual feature. It involves a dead heat for first. Despite his years as a Steward, Mr Ryan knew of no similar case. This race was a TAB meeting on a Friday and would have been the sole meeting on that day in the state. Mr Ryan estimates the difference between your winning outright and dead heating was certainly a six figure sum. That is to be borne in mind.

Secondly, you have a number of prior convictions for this particular offence. In every instance, the penalty has been a fine only and, several of them, a fairly modest fine. However, as Mr Ryan put it, your record is ‘not great’ and you must make every effort to ride your mount to the line. In this day and age, no one wants to see excessive whip use, and the Stewards are careful to emphasise this, but you must be alert to not dropping your hands until the race is well and truly over. As stated, this is an unusual case.

In fixing a penalty, Mr Ryan and the Stewards adopted a formula of approximately halving what had been a penalty imposed on Mark Zahra some eight years ago, when the failure to ride out had cost a horse its chance to win, halving it because of the dead heat and also dropping one meeting to enable you to resume on a Saturday.

The view that I have taken is that, whilst I do not criticise the Stewards for taking that pragmatic approach, the comparatively recent penalties imposed on Ms Chelsea McFarlane and Mr Jason Lyon are more appropriate, even if this was a dead heat for first. In particular, Ms McFarlane’s situation was that she dropped her hands some strides out and that cost her third place, doubtless affecting considerable place and trifecta betting. She was suspended for 10 meetings.

Your offence would have cost punters a considerably larger sum, but occurred right on the line. In all the circumstances, the appeal is allowed, and the penalty reduced to 10 meetings.

I would conclude this unusual case by pointing out to you that Mr Ryan described you as an extremely good rider. From someone of his experience, that is praise indeed. I would urge you to continue to receive advice and training from people of the great experience and skill of Mr Thomson and try to ensure that the dropping of your hands before the race is actually over becomes a thing of the past.

Mark Howard  
Registrar, Victorian Racing Tribunal