8 December 2023

**DECISION**

**RACING VICTORIA**

**and**

**TEO NUGENT**

**Date of hearing:** 24 November 2023

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

**Appearances:** Mr Alex Streckbein appeared on behalf of the Stewards.

Mr Matthew Hyland represented Mr Teo Nugent.

**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:** Teo Nugent (Prevailed) was found guilty of a charge of careless riding under the provisions of AR131(a), the carelessness being over the final 150m he failed to make sufficient effort to prevent his mount from shifting in on several occasions resulting in Nevada Showgirl being steadied and ultimately restrained to avoid the heels of Prevailed. Teo Nugent had his licence to ride in races suspended for a total of 9 race meetings (3 metropolitan, 6 provincial), with the period to commence on 27 November 2023 and expire on 5 December 2023.  Accordingly, Teo Nugent will be able to return to ride on 6 December 2023. In assessing penalty Stewards deemed the incident to be in the low range and took into account his record and the racing manners of Prevailed.

**Plea:** Guilty

**DECISION**

Mr Teo Nugent, you are appealing against the penalty of suspension for 9 meetings imposed on you by the Stewards following Race 5 over 1454 metres at Kyneton on Monday, 20 November 2023. The suspension was for careless riding on Prevailed. This is alleged to have taken place between the 150 metre mark and the finishing post, with particular emphasis on the last 50 metres. The other horse involved was Nevada Showgirl, ridden by Ms Maddie Lloyd. Your horse went on to win the race. I accept that, at the time of the interference in the last 50 metres, Ms Lloyd’s horse was beaten and was not going to win.

I also accept that, at the Stewards hearing after the race, you reserved your plea. Later, you attempted to contact Mr Matthew Hyland, who assisted you today. However, you could not make contact with him until the following day. After talking to him, you no longer reserved your plea, but pleaded guilty.

I have viewed the video many times. The head-on coverage of what occurred in the straight is the most helpful. It is apparent that, as alleged by you, Prevailed was a difficult horse to ride, with a marked tendency to hang in. Twice you had ceased using the whip and attempted to straighten the horse between the 150 metre mark and the 50 metre mark. The real trouble occurred at and following the 50 metre mark, when you again used the whip in your right hand. As you kept using it, your horse hung in and impeded Ms Lloyd.

As stated, the Stewards imposed a period of suspension of 9 meetings, placing the level of interference in the low range. Whilst the interference was quite noticeable, I agree with that assessment.

I accept that you reserved your plea effectively so as to contact Mr Hyland, but could not do this until the following day. After consulting him, you no longer reserved your plea, but pleaded guilty.

Further, you have a record assessed by the Stewards as being good. Recently you were absent from race riding for approximately five months due to injury. You only resumed riding at the start of October, 2023. You are a talented jockey with a bright future. As is evident, I accept that this horse gave you a very difficult ride, which perhaps emphasises the fact that you may have been better advised to put the whip away altogether.

Bearing all of these factors in mind, I do allow the appeal. I reduce the penalty to one of eight meetings. That may sound like tinkering, but there are circumstances in this particular case that warrant a small reduction in penalty to one of eight meetings.

Mark Howard

Registrar, Victorian Racing Tribunal