22 January 2024

**DECISION**

**RACING VICTORIA**

**and**

**LIAM RIORDAN**

**Date of hearing:** 4 January 2024

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

**Appearances:** Mr Dion Villella appeared on behalf of the Stewards.

Mr Liam Riordan represented himself.

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

(1) A rider must not, in the opinion of the Stewards:

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

**Particulars:** Rider, Liam Riordan (Aquila Volare), was found guilty of a charge of careless riding under the provisions of AR131(a), in that approaching the 1400m, he permitted his mount to shift in when not sufficiently clear of Keevs, resulting in that gelding being tightened for room and steadied. Liam Riordan had his licence to ride in races suspended for a total of 10 race meetings (3 metropolitan, 7 provincial), with the period to commence on Monday 8 January 2024 and expire on Wednesday 17 January 2024. Accordingly, Liam Riordan will be able to ride on Thursday 18 January 2024. In assessing penalty, account was taken of his record and that the incident was in the low range.

**Plea:** Not Guilty

**DECISION**

Mr Liam Riordan, you are appealing against a decision of the Stewards that you were guilty of careless riding in Race 5 at Cranbourne on 29 December 2023. The race was over 2,580 metres. You were riding “Aquila Volare”. The other horse principally involved was “Keevs”, ridden by Ms Makisha Salter.

The incident is alleged to have occurred approaching the 1,600 metre mark, although there is also reference to the 1,400 metre mark. Essentially, the assertion of the Stewards is that you crossed Ms Salter when not sufficiently clear of her, causing her to have to take hold of her mount. Prior to this occurring, she had been leading and you had moved to her outside.

It is asserted that you then crossed her, causing her to take hold of her mount for a stride or two. You allege that you maintained your position one horse off the rails as you went to the lead and continued to do so for a considerable distance, before going to the rails. You assert that you did not take her running and that her horse was difficult to ride, which I accept. Her evidence, when interviewed, was that you did cross her to take the lead, although her horse was over-racing.

I have viewed the video many times, particularly the part to which Mr Villella and you drew my attention. Certain aspects of it I have viewed, as stated, multiple times. There is no doubt but that you moved up on her outside. There is also no doubt but that for a stride or two she checked her horse when you were about a length clear of her. It is clear that, when the horses came to the next bend, you were in fact leading, but racing one horse off the rails.

The question then becomes whether you maintained the line that you were on throughout – that is, one horse off the rails, or did you move up one horse off the rails, cross to the rails, and then, within a very short distance, move back to being one horse off the rails. You maintain that you did no such manoeuvre, for which there was no apparent reason, but were one horse off the rails at all times, until crossing a considerable distance further on.

The situation is not assisted by the absence of any head-on or tail-on vision. That is no criticism of the Stewards. Cameras cannot be everywhere, and the Stewards can only work with the equipment and vantage points with which they are provided.

Another aspect of the matter is that this was far from being a major or dramatic incident or one that was particularly obvious. What occurred is something about which it is difficult to be confident.

Finally, I would repeat that the available footage clearly shows where your mount was shortly prior to the alleged incident, namely one horse off the rails, and where it was shortly after the alleged incident, namely still one horse off the rails. I also accept that Ms Salter’s mount was, at times, somewhat difficult to control.

When all these factors are weighed up, I cannot be completely satisfied that the charge has been made out and that is no criticism of anyone.

Accordingly, the appeal is allowed and the charge is dismissed.

Kathleen Scully

Acting Registrar, Victorian Racing Tribunal