6 November 2024

**DECISION**

**RACING VICTORIA**

**and**

**DANIEL MOOR**

**Date of hearing:** 30 October 2024

**Date of decision:** 30 October 2024

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

**Appearances:** Mr Rob Montgomery appeared on behalf of the Stewards.

Mr Matthew Stirling represented Mr Daniel Moor.

Mr Daniel Moor appeared as a witness.

**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 Daniel Moor (Unflinching) pleaded guilty to a charge of careless riding under the provisions of AR 131(a), in that near the 800 metres, he permitted his mount to shift in when not sufficiently clear of Philosopher, taking that gelding in onto Holy Racket (NZ) which was checked when crowded for room. Daniel Moor had his licence to ride in races suspended for a total of 10 race meetings with the period to commence on Monday 28 October 2024 and expire on Tuesday 5 November 2024. Accordingly, Daniel Moor will be able to ride on Wednesday 6 November 2024. In assessing penalty, account was taken of his guilty plea, excellent record and that the incident was in the mid-range.

**Plea:** Guilty

**DECISION**

Mr Daniel Moor, you are appealing against the penalty imposed on you by the Stewards in relation to your ride on “Unflinching” in Race 1 at Moonee Valley on 26 October 2024. The race was over 1,000 metres. The charge concerns the interference caused near the 800 metre mark, which the Stewards allege resulted from your carelessness.

You have pleaded guilty to the charge, but are appealing in relation to the penalty imposed of suspension for 10 meetings.

Other jockeys involved were Mr Daniel Stackhouse, Ms Carleen Hefel, Mr Craig Williams and Mr Jordan Childs.

I have viewed the three video angles many times. Essentially what occurred was that Mr Stackhouse jumped to the front and was leading. You jumped from the outside gate and were crossing towards him. Mr Childs was on the rails behind the leader. Mr Williams and Ms Hefel were to his outside. As you crossed towards the outside of the leader, Mr Stackhouse, Ms Hefel had moved forward a little. Your ultimate crossing of her effectively caused a backwash, the principal sufferer of the interference being Mr Williams.

Your plea of guilty reflects your acceptance of responsibility. On your behalf, Mr Matthew Stirling pointed to the racing manners of, and contribution to what occurred by, the other horses. However, it seems to me that the main contribution to the interference that was caused came from you.

I accept that you have an excellent record and bear in mind your plea of guilty. I accept that you are a highly regarded jockey, both very competent and very successful.

I also accept that you will miss some very important meetings.

However, the penalty imposed by the Stewards seems to me to be reasonable. Not that I am bound by the categories or levels of carelessness referred to by the Stewards, but I would agree that this carelessness is not at the lower end of the scale. The penalty of suspension for 10 meetings seems to me to be fair and appropriate. The appeal is dismissed.

Kathleen Scully

Assistant Registrar, Victorian Racing Tribunal