23 December 2024

**DECISION**

**RACING VICTORIA**

**and**

**BLAKE SHINN**

**Date of hearing:** 6 December 2024

**Panel:** Judge John Bowman (Chairperson), Ms Danielle Hikri and Dr Andrew Gould.

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

Mr Liam Prior represented Mr Blake Shinn.

Mr Damian Oliver appeared as a witness.

Mr John Allen appeared as a witness

**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:** Rider Blake Shinn (Kadavar [NZ]) was found guilty of a charge of careless riding under the provisions of AR 131(a), in that near the 250m, he rode his mount out when insufficiently clear of Mathew (NZ) which was tightened out onto Quantum Cat (USA), resulting in Mathew (NZ) being hampered and Quantum Cat (USA) being bumped on the hindquarters and becoming severely unbalanced.  Blake Shinn had his licence to ride in races suspended for a total of 14 race meetings, with the period to commence on Monday 9 December 2024 and expire on Sunday 22 December 2024. Accordingly, Blake Shinn will be able to return to ride on Monday 23 December 2024. In assessing penalty, account was taken of his record and that the incident was in the mid-range.

**Plea:** Not Guilty

**DECISION**

Mr Blake Shinn, you are pleading “Not Guilty” to a charge of careless riding as set out in Rule 131(a). It relates to your ride on Kadover in Race 3 at Caulfield on 30 November 2024. The race was over 2400 metres on a rain affected track. The alleged incident and interference took place in the home straight and approximately 250 metres from the finishing post.

Other horses and jockeys directly involved were Matthew ridden by Mr Tom Prebble and Mr Damian Lane on Quantum Cat. Other horses less directly involved were Flamin’ Romans, ridden by Mr John Allen, Promises Kept, ridden by Ms Dakota Keane and Canberra Legend, ridden by Mr Jye McNeil.

We have viewed the video material and still shots extracted from it many times. We have also had the benefit of detailed submissions on behalf of the Stewards and on your behalf. Further, you called Mr Damian Oliver to give expert evidence and there was a telephone contact made with Mr John Allen.

We have weighed up all the evidence. We say now that we are comfortably satisfied that the charge has been proven.

The bottom line is that, in the home straight, you were on the rails effectively trapped behind the timing mount of Mr McNeil. Mr Prebble was to your outside and approximately three quarter of a length to a length behind you. Mr Lane was approximately a long neck ahead of Mr Prebble and to his outside.

At about the 250 metre mark, you moved out somewhat abruptly from behind the tiring horse of Mr McNeil. This caused direct interference to Mr Prebble, whose horse then made contact with the rear of Mr Lane’s mount.

We accept that there was some movement ahead of you involving Mr Allen’s mount and Ms Keane’s mount. We are not of the view that this had any direct bearing on the incident the subject of the charge.

We are comfortably satisfied that you shifted somewhat abruptly out from behind the tiring horse of Mr McNeil when not sufficiently clear of Mr Prebble. You shifted out approximately two horses, made contact with Mr Prebble’s mount which resulted in contact with Mr Lane.

Shifting out in this fashion when not sufficiently clear was careless riding. We appreciate that you had been potentially trapped behind a tiring horse, but that is not an uncommon occurrence in racing.

In summary, we consider that it was careless riding on your behalf to move out, contact Mr Prebble’s horse, and cause it to contact Mr Lane’s horse.

We are comfortably satisfied that the charge has been proven. The appeal on liability is dismissed. We shall hear the parties on penalty.

**PENALTY**

Mr Blake Shinn, we turn now to the question of penalty. We accept that there were some other factors which contributed to what occurred, although we place most of the responsibility for the interference on you. However, we accept that thing happened fairly rapidly and over a short distance.

Thus we are of the view that there was some contribution, to a very moderate degree, from other jockeys and horses.

Your record is certainly not outstandingly good, but, as stated by Mr Montgomery, there has been some recent improvement.

In all the circumstances, we uphold the appeal on penalty and reduce the period of suspension to 12 meetings.

Mark Howard

Registrar, Victorian Racing Tribunal