16 January 2025

**DECISION**

**RACING VICTORIA**

**and**

**LIAM RIORDAN**

**Date of hearing:** 9 January 2025

**Date of Decision:** 9 January 2025

**Panel:** Judge John Bowman (Chairperson), Magistrate Peter Reardon (Deputy Chairperson) and Mr Des Gleeson.

**Appearances:** Mr Corie Waller appeared on behalf of the Stewards.

Mr Liam Riordan represented himself.

**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 Liam Riordan (Confetti Garden) was found guilty of a charge of careless riding under the provisions of AR131(a), in that passing the winning post he failed to make sufficient effort to prevent his mount from shifting in when insufficiently clear of Winning Toast, which clipped the heels of Confetti Garden and blundered, unbalancing its rider Will Price. L Riordan had his licence to ride in races suspended for a total of 12 race meetings with the period to commence on Monday 13 January, 2025 and expire on Friday 24 January 2025. Accordingly, L Riordan will be able to return to ride on Saturday 25 January 2025. In assessing penalty, account was taken of his record, the racing manners of the runners involved and that the incident was in the mid-range category.

**Plea:** Not Guilty

**DECISION**

Mr Liam Riordan, you are appealing against a decision of the Stewards arising out of your ride on “Confetti Gardens” in Race 3 over 1,600 metres at Stony Creek on Saturday 4 January 2025. Confetti Gardens was having its first start. Ultimately it won the race. Other horses involved were “Winning Toast”, ridden by Mr Will Price, and to a lesser extent, “Magic Princess”, ridden by Mr Connor Murtagh.

This is a somewhat unusual case. There is nothing unusual in the charge itself, it being one of careless riding pursuant to Rule 131(a). What is unusual is that the interference alleged occurred a short distance after the winning post. It is alleged that your mount shifted ground when not sufficiently clear of Mr Price, causing his mount to clip your horse’s heels and blunder for a stride or two and Mr Price to become unbalanced.

There is no argumentthat your horse did shift in somewhat suddenly and did inconvenience Mr Price.

Earlier in the straight, your horse had shifted in sharply, causing you to shift the whip from one hand to the other, and to straighten it up. As stated, it was its first start and it performed greenly under pressure. It is our opinion that you did a very good job in straightening the horse, holding it away from the horse to its inside, and going on to win the race despite the problems.

Shortly after the winning post, indeed within two or three strides, there is a path across the track going from the birdcage and enclosure area to the centre of the course. It is not clear exactly what its purpose is, but it is very apparent. We accept that, on this day, some cuttings had been spread over it before the first race, but it was still of a markedly different colour to the rest of the track and was plainly visible. We accept your assertion that you had pointed this out to the Stewards before or at the time of the first race and that horses had shied or reacted to it both at the previous Stony Creek meeting and on this day. It is clearly visible, as a different coloured stretch of grass going right across the track and only two or three strides beyond the winning post.

We accept that, almost immediately past the winning post, you, as to be expected, dropped your hands. Your horse then shifted in somewhat abruptly as or just before it hit the crossing of different coloured grass, which, as stated, is highly visible and concerning which you had alerted the Stewards. The interference to Mr Price’s horse resulted.

Further, we also accept that, at approximately the same time, Mr Murtagh’s horse shifted out a little from the rail. Of course, Mr Price was between Mr Murtagh and yourself.

After making contact with Mr Price’s mount, you were able to steady your horse and remedy its erratic behaviour.

Thus, at the very end of the race, there were in very quick succession, the winning post, the path of clearly different coloured grass and the turn out of the straight. The distance from the winning post to the turn out of the straight is short indeed, and the distance from the winning post to the very apparent different coloured grass stretch is very short.

As stated, you had drawn aspects of this to the Stewards prior to the relevant event.

The appropriate test is that set out in Briginshaw. The burden is on the Stewards to establish to our comfortable satisfaction that the burden has been discharged and the charge proved accordingly.

We are not so satisfied. We accept the evidence of Mr Riordon as to what occurred. We accept that what happened was no fault of his and that he reacted quickly and appropriately to the inward movement of his horse after the winning post and in the vicinity of the green path and the proximity of the fairly abrupt turn out of the straight. We accept that your horse, having its first start, was a difficult ride, well handled by you before the winning post, and that its behaviour was a reaction to the green cross-patch immediately after the winning post. You did all that you could in the circumstances.

We are accordingly of the view that you were not careless.

The appeal is allowed, and the charge is dismissed.

Kathleen Scully

Acting Registrar, Victorian Racing Tribunal