



APPEAL DECISION

RYAN MALONEY *and* RACING VICTORIA STEWARDS

Date of Hearing: 8 November 2017

Heard By: Judge Bowman (Chair)

Appearances: Terry Bailey appeared on behalf of the stewards.
Matt Hyland appeared on behalf Mr Maloney.

At Flemington on Saturday 4 November 2017, Ryan Maloney pleaded guilty to a charge of careless riding on his mount *Eptimum* in Race 5 the *Coolmore Stud Stakes* (Group 1, 1200m).

The careless riding being that passing the 300m he allowed his mount to shift out whilst riding along, resulting in crowding to *Goodfella* which ultimately had to be checked, and in turn caused interference to *Catchy* which had to be checked severely.

Mr Maloney had his licence to ride in races suspended for a period to commence at midnight on Sunday, 5 November 2017 and to expire at the conclusion of the day meeting on Thursday, 16 November 2017 – a total of 12 race meetings (2 metro, 10 provincial).

In assessing penalty Stewards took into account his guilty plea and record and that the carelessness was in the mid-range.

A Notice of Appeal against **the severity of the penalty** was lodged on Sunday, 5 November 2017. A stay of proceedings was not requested.

DECISION: Appeal dismissed.
Penalty to remain standing.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

HIS HONOUR JUDGE J. BOWMAN, Chairman

EXTRACT OF PROCEEDINGS

DECISION

RYAN MALONEY

and

RACING VICTORIA STEWARDS

RACING VICTORIA CENTRE, FLEMINGTON

WEDNESDAY, 8 NOVEMBER 2017

MR M. HYLAND appeared on behalf of Mr R. Maloney

MR T. BAILEY appeared on behalf of the RVL Stewards

CHAIRMAN: Mr Ryan Maloney, you have been charged with careless riding, in that in race 5, over 1200 metres at Flemington on Saturday, 4 November last, passing the 300-metre mark, you allowed your mount to shift out when riding along, resulting in crowding to Goodfella, ridden by Jason Collett, which ultimately had to be checked and in turn this caused interference to Catchy, ridden by Hugh Bowman, which had to be checked severely. You alleged that Houtzen, ridden by Jeff Lloyd, which had been on your inside, made a substantial contribution to what occurred. Before the Stewards, you pleaded guilty to the charge. You were suspended for a total of 12 meetings and you are appealing against the severity of that penalty.

I have viewed the videos, with the overhead and head-on angles. You do not deny that you shifted out, causing interference to Goodfella, and with Catchy being caught in the backwash. The level of interference was significant.

Viewing the head-on video, there is no doubt that you shifted out two horses and continued to ride your horse vigorously. Once you moved out, Jeff Lloyd on Houtzen effectively moved into the run that became available.

It was argued by Mr Hyland on your behalf that once Jeff Lloyd's mount had moved up on your inside and virtually headed you, there was nowhere for you to go. You could not move to your left because his horse was there. The problem is that you are not seen to have stopped riding. You continued to ride your mount out. The presence of Houtzen to your inside made things more difficult for you, but I am quite satisfied that there was no contact between your horse and Houtzen. You may have been caught in a difficult situation but

the bottom line is that you kept riding out your mount. The overall shift was quite considerable, as was the interference caused.

You have pleaded guilty, and I note on page 6 of the transcript that the Stewards took this into account. You have already had four suspensions and three severe reprimands for careless riding this calendar year, so your record is not perfect.

Overall, while I have some sympathy for the position you got yourself into, the penalty of 12 meetings imposed seems to me to be fair and the appeal is dismissed. The suspension will start from midnight 5 November last.
