

Auckland RC 5 November 2013 - R 5

Rules:

[638\(1\)\(d\)](#)

Name(s):

Mr O Bosson - Licensed Rider

Mr M Williamson - Stipendiary Steward

Charge:

Facts:

denied

Following race 5, Bach Espresso 1400, an Information was filed pursuant to Rule 638(1)(d). The Informant, Mr Oatham alleged that near the 100 metres Mr Bosson allowed his mount LIQUID ASSET to shift in, crowding CONNOR JOHN (J Parkes) who was checked.

Mr Bosson acknowledged that he understood the nature of the charge and the Rule.

Mr Bosson advised the Committee that he denied the breach and did not wish to call any witness.

Rule 638(1) (d) states: *A rider shall not ride a horse in a manner which the Judicial Committee considers to be careless.*

Mr Williamson identified on the video films prior to the 200 metres LIQUID ASSET was racing on the extreme outside with CONNOR JOHN racing to his inside. He said Mr Bosson continued to ride his mount forward when it was shifting ground inwards and noted Mr Bosson made no attempt to straighten. He stated Mr Bosson shifted in 3 horse widths when only $\frac{3}{4}$ of a length clear of CONNOR JOHN.

Mr Williamson submitted that there was minor contribution to the incident from the inside. However, he stated the majority of interference came from LIQUID ASSET ridden by Mr Bosson.

Mr Oatham submitted that during the Stewards' investigation into the incident Mr Parkes, the rider of CONNOR JOHN, stated Mr Bosson was $\frac{3}{4}$ length clear of his mount.

Mr Bosson did not wish to cross examine Mr Parkes' earlier evidence when given the opportunity to do so by the Committee.

Mr Bosson under cross examination, asked Mr Williamson if the movement from the inside (Ms Collett) contributed to the incident for which he was being charged. Mr Williamson stated that the movement came from his mount LIQUID ASSET and he believed that he was the sole contributor to CONNOR JOHN being checked. He added that Ms Collett's outward movement occurred after he had shifted in.

Mr Bosson submitted that his horse was very green and noted that LIQUID ASSET ducked in sharply just prior to the incident. He conceded that LIQUID ASSET did roll in and he turned his horse's head out to try and correct the movement. He said he was hitting his mount down the shoulder in an attempt to straighten it up.

Mr Oatham, in summing up, stated that Mr Bosson made an insufficient attempt to straighten LIQUID ASSET. He said the inward shift was gradual for approximately 100 metres. He noted Mr Bosson's use of the whip was not an acceptable manner to stop the interference.

Mr Bosson in summing up referred to LIQUID ASSET'S greenness as a contribution to the incident.

Decision:

The Committee carefully considered all the evidence and submissions as presented. Having reviewed the video films several times we established that at approximately the 150 metres LIQUID ASSET shifts in when ridden forward with the whip. We note that Mr Bosson shifted in approximately 3 horse widths and he took no remedial action. In our view near the 100 metres Mr Bosson had an obligation to stop riding and straighten his mount. The films clearly show Mr Bosson was approximately $\frac{3}{4}$ of a length clear of CONNOR JOHN when dictating his rightful running line.

Mr Parkes the rider of CONNOR JOHN stated Mr Bosson was $\frac{3}{4}$ of a length clear when moving in.

The opinion of this Committee is that the inward shift was gradual over approximately 100 metres. We are satisfied that this breach occurred prior to Ms Collett's outward movement.

The Committee note that "interference" is defined as: a horse crossing another horse without being at least its own length and one other clear length in front of such other horse at the time of crossing.

Therefore for the above reasons we are satisfied the charge is proved.