

Nelson HRC 8 January 2021 - R 5 - Chair, Mr S Ching

Rules:

[869\(4\) and Home Straight Regulations](#)

Name(s):

Mr C DeFilippi - Open Driver

Charge:

Facts:

admitted

Following the running of Race 5, the Dave & Jan Birdling Sports Trust Pace, an Information was filed by Stipendiary Steward, Mr J Muirhead against Open Driver, Mr C DeFilippi, alleging a breach of Rule 869(4) in that when driving ROLLWITHIT he failed to maintain a straight course in the run home and as a result shifted outwards locking wheels with GREAT PRESENCE with the trailing HITTHEROADJACK and DOCTOR STEVE also being checked..

Rule 869(4) reads as follows.

(4) No horseman shall during any race do anything which interferes or is likely to interfere with his own horse and/or any other horse or its progress.

Relevant Home Straight Regulation

7. Except where a driver is making a move pursuant to Rule 869(7) and subject to the preceding provisions of this regulation where applicable, every horse shall upon entering the home straight prior to the finish maintain as straight a course as possible to the finish line.

Mr De Filippi had indicated on the Information that this breach of the Rules was admitted which he confirmed at the hearing. He also acknowledged that he understood the Rule he was being charged with.

Mr Muirhead gave evidence and used video coverage to show Mr DeFilippi, driving ROLLWITHIT, positioned in the trail of the leader just prior to the passing lane. He pointed out Mr DeFilippi, who he said, started to shift down into the passing lane but then shifts ground back out and in doing so locked wheels with GREAT PRESENCE, driven by Mr J Cox. Mr Muirhead said that as a result both horses lost their momentum and the two trailing runners, HITTHEROADJACK, driven by Mr B Hope and DOCTOR STEVE, driven by Mr R Anderson, were both checked in this incident.

Mr DeFilippi stated that ROLLWITHIT was running away from the pole on the near side and overreacted when he was attempting to shift ground.

Decision:

As Mr DeFilippi had admitted the breach, the charge was therefore found proved.