

## Otaki-Maori RC 25 February 2017 - R 8 - Chair, Mrs N Moffatt

### Rules:

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

### Name(s):

Mr M McNelis - Apprentice Jockey  
Mr K Smith - Licensed Jockey assisting Mr McNelis  
Mr D Balcombe - Stipendiary Steward

### Charge:

### Facts:

admitted

Following the running of race 8, the "Vets on Riverbank Handicap", Information A8753 was filed by Stipendiary Steward, Mr N Goodwin under Rule 638(1)(d). The Information stated that **"Matthew McNelis allowed his mount (JUSTNAMETHEPRICE) to shift in when not clear of MANEO INVICTUS which was checked"**.

Mr McNelis signed the Information stating he admitted the breach and at the beginning of the hearing confirmed that was correct and also that he understood the Rule under which he was charged.

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

Mr Balcombe, using the head-on film from the top of the straight, identified Mr McNelis on "Justnametheprice" racing in the lead and closest to the running rail. Immediately behind Mr McNelis was Mr Elliot riding "Maneo Invictus". Mr Balcombe said as the horses moved passed this point Mr McNelis rolled off the running rail at which point Mr Elliot commenced to move into the gap created by Mr McNelis. As Mr Elliot moved forward Mr McNelis shifted back inwards onto Mr Elliot hampering him for approximately 3 strides. Mr Balcombe said whilst the gap only briefly appeared it was long enough for Mr Elliot to get established in it. He added that it was clear Mr McNelis straightened his horse as soon as he realised he had crowded Mr Elliot but by then the damage was done. He also noted that despite being hampered and having to change ground "Maneo Invictus" then ran on strongly to the line finishing in 5th position.

Mr Smith agreed there was a gap, albeit a marginal one, for Mr Elliot to take. He said Mr McNelis' horse had come to the end of its run and Mr Elliot, despite receiving the interference, was still able to finish the race off strongly into 5th place.

Mr McNelis said he knew his horse had a tendency to roll around and he had immediately straightened the horse as soon as he realised Mr Elliot was to his inside. He concluded by saying that at the time he did not think Mr Elliot was established in the gap created by his outwards movement.

### Decision:

As Mr McNelis admitted the breach the charge is found proved.