



INTERNAL REVIEW DECISION
(Internal Review Decision Notice in response to an Application for Internal Review)

PART 1: Details of Internal Review

Internal Review Number:	Internal Review 0093-18
Applicant's Name:	Jeff Lloyd

PART 2: Decision History

Original Decision:	Breach of Rule 137(a) of the Australian Rules of Racing
Original Decision Makers:	C Albrecht, I Brown, B Connell, R Hanson
Date of Original Decision:	14 September 2018
Internal Review Decision:	Original decision of charge and penalty confirmed - Eight (8) day suspension
Internal Adjudicator:	Mr Kane Ashby, Queensland Racing Integrity Commission
Date of Internal Review Decision:	21 September 2018

PART 3: Summary of Internal Review Application

The Applicant, Mr Jeff Lloyd, rider of STARKERS in Race 3 at the Ipswich Turf Club on 14 September 2018, was found guilty of a charge under Australian Rule of Racing 137(a).

Australian Rule of Racing 137(a) states:

"Any rider may be penalised if, in the opinion of the Stewards, he is guilty of careless, reckless, improper, incompetent or foul riding."

At the stewards' inquiry conducted on 14 September 2018, the Applicant was found guilty of a charge of careless riding pursuant to Australian Rule of Racing 137(a) in that near the 1000 metre mark the Applicant permitted STARKERS to shift inwards when insufficiently clear of AWESOME MO, which resulted in AWESOME MO being taken inwards. ACTION D'IMPULSION had to be checked near the 1000 metre mark to avoid the heels of AWESOME MO, which was taken in by STARKERS.

Stewards subsequently suspended the Applicant's licence for eight (8) days to commence at midnight on 22 September 2018 and to expire at midnight on 30 September 2018.

The Applicant sought a review of the charge and penalty and submitted the following in support of his Application:

"1. I contend that I am not guilty of the charge."



2. *The stewards did not take into account that after having provided sufficient clearance to jockey Cahill, his mount then improved up to the inside of my heels where there was insufficient room and as a result caused unnecessary crowding to "Action D'Impulsion."*
3. *The lateral film clearly establishes that I am sufficiently clear of Michael Cahill's mount prior to the incident occurring.*
4. *The stewards erred by finding me guilty.*
5. *I believe the decision to suspend me was harsh and not supported by the evidence."*

The outcome sought by the Applicant was that the decision of the stewards to suspend the Applicant's licence be set aside.

PART 4: Reasons for Internal Review Decision

Stewards opened an inquiry into the alleged aforementioned incident that occurred near the 1000 metre mark.

Ms Brooke Connell, Stipendiary Steward of the Queensland Racing Integrity Commission, provided her observations of the alleged incident stating *"So for the running of Race 3 I was situated at the 800-metre tower, which afforded me a head-on view of the start. At approximately the 1000 metre mark, Mr Lloyd was endeavouring to drive forward and obtain a leading position, and as such in doing so he has shifted in, which in turn has gone on to Mr Cahill, who has then been taken in onto Mr Orman, who had to check to avoid the heels of jockey Cahill. I believe Mr Orman may have lost ground by doing this also."*¹

Mr James Orman, rider of ACTION D'IMPULSION which was racing to the inside of AWESOME MO, in evidence stated *"Yeah, I'm not (inaudible) - I'm not sort of sure what sort of happened - whether it was shying or whatever. But, yes, my run sort of just closed, sir. I'm not sure whether his horse run in on Cahill's or sort of how it panned out or what happened. I just (inaudible) my run closed, sir."* The chairman of the inquiry questioned *"So did you receive pressure though?"* to which Mr Orman replied *"Yes, a hundred percent."*²

Mr Michael Cahill, rider of AWESOME MO which was racing to the inside of STARKERS, in evidence stated *"Yes, sir. My horse, he's - he's a bit weak in his racing manners. He began okay and I was happy to let - I could see Jeff Lloyd outside me was looking to go forward. I was going to be happy enough to let him go and cross me. Jeff, I reckon he almost crossed me at one stage, but then he didn't seem to come in any further, and my mount was still just inside his heels. Jeff came in and my mount has got away from his and got in onto Jimmy Orman's."*³ Subsequent to viewing the race footage, Mr Cahill in evidence stated *"I was just - just there. I was only - Jeff had almost cleared me. He all but cleared me. Just there I was obliged to shift. My take on it, sir, was that Jeff thought he had cleared me, and he almost had, and my horse's racing manners - I truly believe they have contributed to it because he's a bit of a weak horse, and once Jeff went ahead of him he was going to drop right out, and I gave him a little bit of a squeeze to hold is position, and that's when Jeff Lloyd would have thought he was clear to come across, and my horse probably has put himself just to where - again to where he was still just inside his heels."*

¹ Transcript of Stewards' Inquiry dated 14 September 2018, page 2

² Transcript of Stewards' Inquiry dated 14 September 2018, page 3

³ Transcript of Stewards' Inquiry dated 14 September 2018, page 3



In response to a question *“Just to jockey Cahill. There does appear that you have to grab up”* to which Mr Cahill replied *“Yes, sir. I'm not for one minute throwing pillows out for Jeff Lloyd, but I do believe that my horse's manners have contributed to this incident. We ride here all the time. Jeff Lloyd is a careful jockey, as I am. We don't go out to cause trouble. He thought he was clear of me then, and normally he probably would, but because my horse is going to drop too far out I gave it a squeeze and it has just stayed there, and he thought I was going to be out - out of the road. Yeah, I did have to grab up to try and protect - I was just obliged to come in.”* In response to a further question *“I understand what you are saying. Looking at that lateral it does appear at the death you have to come away yourself”* to which Mr Cahill replied *“Yes, I did.”*⁴

The Applicant, rider of STARKERS which was racing to the outside of AWESOME MO, in evidence stated *“Yes, sir. I - as I - I went forward to cross him. I had a few looks across and (inaudible) straight-line and at one stage, like I said, I thought I was good enough to come in and cross them. I didn't come in straight away. I gave myself a few more strides to make sure. But I carried on riding forward, and then I did step in probably a horse width, thinking (inaudible) clear by now giving them a few more strides, and then I did hear a call on my inside. I immediately tried to relieve the pressure. Yes, I thought I was clear, but I don't know. As Michael said, his horse might (inaudible) back underneath me, but did get in a horse width and released the pressure when I realised may be I - I (inaudible).”*⁵ Subsequent to viewing the race footage, the Applicant in evidence stated *“I tried to relieve the pressure. I thought I was clear of him, and then he has just got under me, and I realised then that he got under me there and I tried to release straight away. But and I was clear of him and then he sort of got under me.”* The chairman of the inquiry questioned *“But from this point on now, that's when Jeff needs to stay out here at this stage and make sure you are clear. We have got to be satisfied whether you are clear at that stage there where you do go in there and that's where the damage was done”* to which the Applicant replied *“I thought I was clear until he gave it that little - and sort of got underneath me without my - I had already looked and was clear, and then he got under me.”*⁶

Subsequent to viewing the race footage, the reviewer finds that near the 1000 metre mark the Applicant, rider of STARKERS, permitted his mount to shift in when insufficiently clear of AWESOME MO, thereby tightening that horse in onto ACTION D'IMPULSION, resulting in AWESOME MO having to be eased to avoid the heels of STARKERS and ACTION D'IMPULSION having to be checked and, when checking, became unbalanced. The reviewer acknowledges the Applicant attempted to straighten his mount, however such action was subsequent to the aforementioned interference occurring. The reviewer is completely satisfied, having considered the evidence and race footage, that the Applicant was not sufficiently clear of AWESOME MO, which ultimately was the sole cause of the interference. The reviewer finds irrespective of whether a horse improves into a position or not as submitted by the Applicant, the onus is on the rider shifting ground (in this instance the Applicant) to ensure he is sufficiently clear of other horses beforehand to avoid causing interference. The reviewer, having considered the evidence and aforementioned factors, is completely satisfied the charge is proven.

⁴ Transcript of Stewards' Inquiry dated 14 September 2018, page 4 and 5

⁵ Transcript of Stewards' Inquiry dated 14 September 2018, page 3

⁶ Transcript of Stewards' Inquiry dated 14 September 2018, page 5 and 6



The stewards deemed the incident to be in the low-range careless riding category. The standard penalty for a low-range offence is a ten (10) day suspension. The Applicant's disciplinary history notes one (1) careless riding suspension this calendar year.

In weighing up the evidence on penalty, consideration was provided to the Applicant's degree of carelessness, severity of the interference, not-guilty plea and disciplinary history. The reviewer finds it could be reasonably argued that the incident falls into the mid-range careless riding category when considering the Applicant's degree of carelessness and severity of the interference. Notwithstanding, the reviewer finds the penalty imposed is considerate in the circumstances and accordingly confirms the original decision on charge and penalty.

PART 5: Review Rights following Internal Review Decision

In accordance with section 246 of the *Racing Integrity Act 2016*, as the applicant for an internal review of the original decision, you are able to apply to the Queensland Civil and Administrative Tribunal (QCAT) for an external review of the internal review decision.

An external review is commenced by lodging the appropriate forms with QCAT. In accordance with section 33 of the *Queensland Civil and Administrative Tribunal Act 2009*, an application for an external review of an internal review decision is to be made within 28 days from the day this internal review decision notice is provided to the applicant.

For further information regarding the processes for an external review of the decision, please contact QCAT:

Queensland Civil and Administrative Tribunal

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