

APPEAL PANEL OF RACING NEW SOUTH WALES

IN THE MATTER OF THE APPEAL OF LICENSED JOCKEY LEANDRO RIBEIRO

5

Heard at Racing NSW Offices

Appeal Panel: **Mr L Gyles SC – Principal Member; Mr J Murphy;
Mr P Losh**

10 Representatives: **Racing NSW – Mr Moxon
Appellant – Self Represented**

Date of Hearing: **2 June 2025**

15

REASONS FOR DECISION

20 **L GYLES SC: Principal Member**

The Appellant Mr Ribeiro was the rider of *I'm a Chocoholic* in Race 1 at Moree Picnic Races on Saturday 24 May 2025. During the race, *I'm a Chocoholic* shifted out when insufficiently clear of another runner, Mr Claus, causing that horse to be severely
25 checked and losing its rightful running. Mr Ribeiro pleaded guilty to careless riding in relation to the incident and was suspended by the Stewards for the following two picnic race meetings, those at Murrumbidgee on 7 June and Mudgee on 14 June 2025.

Mr Ribeiro brings this Appeal against the sanction imposed by the Stewards and submits that it was too severe in the circumstances. The sole question for the
30 determination by the Panel was whether, as contended for by Mr Moxon, the suspension imposed by the Stewards was reasonable and justified or whether, as submitted by Mr Ribeiro, it should be reduced.

The Panel had the benefit of watching the race from two angles on a number of occasions and were greatly assisted by the submissions and explanations provided by
35 both Mr Moxon and by Mr Ribeiro.

Mr Moxon submitted that the usual tariff for careless riding at Picnic Race meetings of a suspension of one picnic race meeting was not sufficient in this case because of the severe checking that occurred which included Mr Ribeiro's own mount stumbling or
40 *knuckling* as well as causing contact with Mr Claus.

There is no careless riding penalty template under AR131(a) for picnic race meetings, but Mr Moxon submitted that the suspension of two picnic race meetings was consistent with the way in which the incident would have been treated under the template, including Mr Ribeiro being given the benefit of his guilty plea. The principal point he
45 relied upon was the lack of clearance when the horse shifted out being less than one length when there should have been a clear two length gap.

Mr Ribeiro on the other hand submitted that there were essentially two phases of the incident, the first when his horse moved to the left while he used the whip on four occasions. He submitted that on the fifth occasion the horse moved to the left more
50 suddenly and at the same time Mr Claus straightened or moved to the right, thereby causing contact between the two horses which in turn caused *I'm a Chocoholic* to "knuckle" and *Mr Claus* to be severely checked. Mr Ribeiro submitted that it was wrong to blame him in respect of the second incident because it was the contact between the horses which caused the most significant interference and he said that this was
55 essentially a combination of his mount acting in a way that he didn't expect and *Mr Claus* also unexpectedly moving across and making contact with *I'm a Chocoholic*.

Whilst it may rightly be said that the second incident would not have occurred if Mr Ribeiro had not carelessly allowed his mount to move out in the first place, in the present case we believe that there are mitigating circumstances in relation to the
60 second phase which was the more dangerous phase and which had the most severe consequences.

In the circumstances and on balance the Panel accepts that Mr Ribeiro does not carry all of the blame in respect of the second phase, and hence considers that a suspension of one picnic race meeting is sufficient and thereby reduces the two picnic race meeting
65 suspension imposed by the Stewards.

In its considerations the Panel also had regard to the early guilty plea, and to the impressive manner in which Mr Ribeiro gave evidence before the Panel.

The Orders are therefore as follows:

- 70 1. The Appeal allowed in part;
2. The Suspension imposed by the Stewards be reduced by one picnic race meeting, so that the Appellant is suspended for the picnic race meeting at Mallawa on 7 June 2025 but is permitted to ride at Mudgee picnic race meeting on 15 June 2025.
- 75 3. The Appeal deposit is to be retained.

2 June 2025