

APPEAL COMMITTEE

In the matter of Jockey Pierre Corne Orffer (the "Appellant")

DECISION

1. The Appellant was charged under Rule 414(g) of the Rules of Racing for his ride of Indigenous in Race 2 of the 11th meeting of the racing season of the 2026 racing season.
2. The charge read: *"Whilst riding Indigenous in race 2 of last Saturday's meetin, namely 'THE AQUA SPRINGS MADE BY NATURE CUP, passing the 1000 metres, you carelessly took your mount inwards when insufficiently clear of DANCE TO THE SUN, resulting in the latter running out of galloping room and having to be checked"*.
3. The Appellant pleaded not guilty to the above charge. He was suspended from riding in races for one Mauritian race meeting and was fined Rs 50,000.
4. The Appellant appealed against his conviction. He did not appeal against the sentence.
5. The grounds of appeal read:
 - A. *The Appellant was denied a fair hearing because he was not given adequate time to prepare his defence after he was informed of the charge against him.*
 - B. *The Appellant was denied a fair hearing because he was not informed of his right to legal representation after the charge was read to him and his plea of "not guilty" was recorded.*
 - C. *The Racing Stewards erred in concluding that Appellant's ride on that day was careless instead of competitive. They completely ignored the explanation given by Jockey Orffer that he was very patient before coming in. He stayed wide for a very long time and he did not come in abruptly and this was confirmed by Jockey Taka when he was first called before the stewards after the second race.*
 - D. *The evidence given by Jockey Taka is not at all credible because he was bullied by the Stewards who were putting words in his mouth after his first explanation that Jockey Orffer did not come in abruptly.*
 - E. *The racing stewards failed to take into account that Jockey Orffer at all times hinted Jockey Taka of his intention to come in. And Jockey Taka confirmed that he knew that Jockey Orffer wanted to move inwards.*
 - F. *The Racing Stewards failed to take into account that Jockey Taka was already easing his horse before Jockey Orffer moved his mount inwards.*
 - G. *The Appellant has been denied a fair hearing because during the fact finding part of the enquiry, both the Appellant and Jockey Taka were cross examined, showing that the racing stewards had already made up their minds concerning his guilt when it is clearly not their mandate to cross examine the parties at this stage. The way the questions were put sufficiently indicate that the stewards were putting words into Jockey Taka's mouth.*

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- H. *The Racing Stewards clearly chose to disregard the explanation given by Jockey Taka when he was first questioned immediately after the second race. His first answer was that Jock "line rentrer mais li Pane rentre net kuma dire desuite"*
- I. *The Racing Stewards completely overlooked explanation given by Jockey Taka about the characteristics of his horse being a stayer. He clearly pointed out that his horse could not keep up with the pace and this was precisely why he could not secure the space in front of him.*
- J. *The Appellant did not benefit from a fair trial because the racing stewards were clearly on a destructive crusade to get evidence to corner Jockey Orffer through the testimony of Jockey Bheekary. Jockey Bheekary did not remember any incident from the race but the stewards were constantly trying to secure evidence from him that he had to slow his horse because Jockey Taka had to check his horse as a consequence of Jockey Orffer's move.*

- 6. The Appellant dropped the first two grounds on the day of the appeal.
- 7. At the hearing of the appeal, the Appellant was assisted by counsel, Mr Sandy Calliapien. The Racing Stewards were represented by Ms. Julia Keevy and Mr Yahia Nazroo, assisted by Mr Ivan Jean Louis, SC.
- 8. The film of the race under consideration was viewed by all and the Committee benefited from the readings of the race by both the Appellant and the Racing Stewards.
- 9. It was the Appellant's case that he shifted his horse patiently, was always one off, and was never abrupt. There was enough room when he put his mount inwards, and in light of Jockey Taka's own evidence that he was easing his mount, the Appellant was not careless. The Appellant was allowed to look for a place on the fence. Angling inwards and looking for the fence is tactful, competitive riding.
- 10. The Racing Stewards explained that there was no problem in the Appellant being competitive, but that there was an overriding duty of safety. Carelessness turns on a safe margin of clearance, if a jockey has to steady because the gap is too small, riding stops being competitive and becomes careless. Signifying an intention to go in does not mean a jockey can go in. In the case at hand, Apprentice Taka had to take evasive action as he was interfered with.
- 11. Mr Jean Louis SC, submitted that the ride of the Appellant was akin to a slow-burn action, persistently, inch by inch, looking back seven or eight times, to inch his way through, and that past the 1,000m he was aggressively moving inside the track. The reaction then from Jockey Taka is that he held his horse as he felt that the other horse was closing in.
- 12. Having considered the grounds of appeal, the transcript of the Stewards' inquiry, the submissions of both parties, and having repeatedly viewed the available films from the different angles presented during the hearing, the Committee considers that the relevant sequence of the race is most clearly analysed in five stages.

At approximately the 1200 metre mark, DANCE TO THE SUN, ridden by Apprentice Taka, was on the inside, with INDIGENOUS, ridden by Jockey Orffer, on its outside. The two horses were almost level.

The reverse angle viewed from behind shows the horses coming into very close proximity, with their hindquarters close to making contact. At that point, Jockey Orffer can be seen using his left arm to move INDIGENOUS outwards and away from DANCE TO THE SUN.

This is consistent with Apprentice Taka's evidence at page 16 of the transcript, where he confirmed that from around the 1200 metre mark he called to Jockey Orffer: **"I am here, I am here."**

The film and the evidence therefore show that Jockey Orffer was aware of the position of DANCE TO THE SUN and took corrective action outwards.

STAGE 2 — FROM THE 1100 METRE MARK TO THE 1000 METRE MARK

During this stage, DANCE TO THE SUN remained on the inside and INDIGENOUS remained one off on its outside. The two horses continued substantially on their respective lines. There was no contact.

The films show Jockey Orffer holding INDIGENOUS with its head angled slightly inwards, demonstrating his intention to obtain the position on the rail, while the horse itself continued substantially on its line.

This is consistent with Apprentice Taka's evidence at pages 13–14 of the transcript that he could see Jockey Orffer's intention to obtain the rail and that Orffer was looking to his inside for that position.

It is also consistent with Jockey Orffer's own explanation at pages 17–18 of the transcript. He stated that he had his horse's head **"slightly to the right to try and see if I could get in there."** When asked whether he could have got in at that stage, his answer was: **"No, no, no, not there now."** He described what he was doing at that point as **"race riding."**

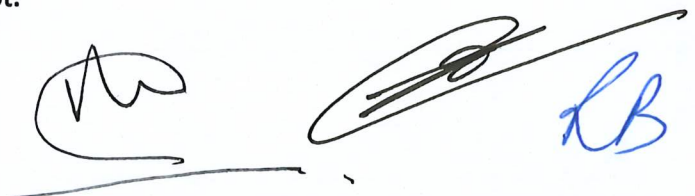
The Committee's reading of this stage is therefore that Jockey Orffer was plainly signalling and pursuing an intention to obtain the rail, but had not yet executed the inward movement.

STAGE 3 — PASSING THE 1000 METRE MARK

This stage is of particular importance because the charge itself states that, **"passing the 1000 metres"**, Jockey Orffer carelessly took his mount inwards when insufficiently clear of DANCE TO THE SUN.

The position at this point was directly contested during the original inquiry. At pages 30–31 of the transcript, the Deputy Chief Stipendiary Steward questioned Jockey Orffer specifically about whether there was sufficient room for him to go in. Jockey Orffer accepted that there was room eventually, but when the question was directed specifically to the point **"passing the 1000"**, his answer was emphatic:

"I am not in there, sir. I am not. I am not."

The block contains two handwritten signatures and a set of initials. On the left is a signature in black ink that appears to be 'W'. To its right is a larger, more stylized signature in black ink, possibly 'J Orffer'. Further to the right, the initials 'LB' are written in blue ink.

When it was then put to him that there was no room passing the 1000 metres, he replied:

"There was no room but I didn't go in."

The Deputy Chief Stipendiary Steward continued to challenge Jockey Orffer as to whether Apprentice Taka had taken hold because he considered that Jockey Orffer was attempting to go in. Jockey Orffer maintained his position, answering:

"No, that's not how I believe, that's not how I see it, sir."

When the Deputy Chief Stipendiary Steward then asked, **"You don't agree?"**, Jockey Orffer replied, **"No"**, thereby maintaining his disagreement with the proposition put to him.

This same material point was considered again during the appeal. The film was stopped at the relevant point and the Committee heard the respective readings of the film, including that of the Racing Stewards' representative.

Having itself viewed the film at that point, the Committee accepts Jockey Orffer's position on this issue. Passing the 1000 metre mark, INDIGENOUS remained one off. There was insufficient room for Jockey Orffer to take the rail at that point, but he had not yet done so.

STAGE 4 — THE APPROXIMATELY 75 METRES FOLLOWING THE 1000 METRE MARK

During the approximately 75 metres following the 1000 metre mark, the two horses continued to race in close proximity. INDIGENOUS remained one off the rail, on the outside of DANCE TO THE SUN, and was approximately half a length ahead.

Apprentice Taka had to ease his mount slightly on a few occasions while still maintaining his rightful running position. Jockey Orffer had still not gone in.

During this period, the Committee observed that the gap between LAVA BURST, ridden by Jockey Aucharuz, and DANCE TO THE SUN progressively widened to almost two lengths by the end of this stretch.

Importantly, at pages 25–26 of the transcript, when the film was stopped during the original inquiry, Apprentice Taka himself confirmed that Jockey Orffer was **"still one ... one-off."** When asked why he was easing his mount, Taka explained:

"No, because it's a bit tight, sir. It was a bit, a little bit tight."

He added:

"I don't want to clip heels."

Having reviewed the films and that evidence, the Committee considers this phase to have remained within the bounds of legitimate tactical race riding. The Committee does not find that the Appellant's riding during this phase, of itself, amounted to careless riding.

STAGE 5 — THE FINAL INWARD MOVEMENT, JUST PRIOR TO THE 900 METRE MARK



By this stage, a gap of approximately two lengths had opened between LAVA BURST and DANCE TO THE SUN. Jockey Orffer then shifted INDIGENOUS inwards and proceeded towards the rail.

13. The Committee considers that prior to shifting his mount inwards, Jockey Orffer had taken reasonable steps to avoid interference. Although he had clearly demonstrated his intention to obtain the position on the rail and had applied tactical pressure in pursuit of that position, the Committee considers that his riding up to that stage remained within the limits of legitimate tactical race riding.
14. Jockey Orffer was not yet sufficiently clear when he moved his mount inwards just prior to the 900 metre mark. This is borne out by the film of the race. Apprentice Taka consequently lost his galloping room and had to check his mount. This corresponds to the consequence identified in the charge: DANCE TO THE SUN becoming cramped for galloping room and having to be checked.
15. When questioned by the Committee against the standard of a reasonable and competent rider, Jockey Orffer accepted, upon reviewing the films, that he could have waited approximately one further stride before completing the inward movement. This is demonstrative of the carelessness of the Appellant in putting his mount inwards when he knew he was not sufficiently clear. The Committee considers that this was the material error.
16. The Committee therefore finds that Jockey Orffer did ride carelessly, that the carelessness consisted of a brief misjudgment in the timing and execution of the final inward movement just prior to the 900 metre mark, rather than a prolonged course of careless riding.
17. For the reasons given above, the Committee considers that the appeal should be dismissed.

This 16th of September 2026

Ravi Bhookhun

Dr Abdullah Atchia

Harry Ramasawmy

