



APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 19 December 2012

SUBJECT: **APPEAL HEARING RESULT – APPRENTICE JOCKEY:
CHAD SCHOFIELD**

Panel Judge Russell Lewis (Chair), Mr Bill Kneebone, Mr Ron Taylor.

Appearances Mr James Williams appeared on behalf of Mr Schofield.
Mr Robert Cram appeared on behalf of the Stewards.

At Werribee on Sunday 16 December 2012, apprentice jockey Chad Schofield was found guilty of a charge of careless riding on his mount *Lucky Angel* in Race 7 the *TAB Werribee Cup* (2600m).

The careless riding being that approaching the 600m he turned his horse's head in and rode his horse in onto *Pelicano* (G Boss) in an attempt to ride that horse inwards off its course from behind *King Diamond* and that shortly after passing the 600m he again rode his mount in onto *Pelicano* in an attempt to ride that gelding inwards when G Boss was attempting to hold his position behind *King Diamond*.

Chad Schofield had his licence to ride in races suspended for a period to commence at midnight on Sunday, 16 December 2012 and to expire at midnight on Sunday, 23 December 2012 - a total of 10 race meetings (4 city, 6 country).

In assessing penalty Stewards took into account that the incident was in the low range.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Monday, 17 December 2012. A stay of proceedings was not required.

DECISION: **Appeal dismissed.**
Penalty to remain standing.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR W. KNEEBONE
MR R. TAYLOR**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE TAB WERRIBEE CUP OVER
2600 METRES AT WERRIBEE ON 16/12/12**

APPRENTICE JOCKEY: CHAD SCHOFIELD

MELBOURNE

WEDNESDAY, 19 DECEMBER 2012

MR R. CRAM appeared on behalf of the RVL Stewards

MR J. WILLIAMS appeared on behalf of the Appellant

CHAIRMAN: First, it should be said that this is an appeal against conviction and penalty. In relation to the appeal against conviction, the Board regards this appeal as being frivolous. The board is satisfied that the incident was initiated by Schofield deliberately riding his mount in on Boss's mount, with the intention of forcing Boss to the fence, so that he, Schofield, could take up the position held by Boss behind Arnold's mount.

Schofield's actions, in the Board's view, reflected the attitude to riding which he had articulated at page 2 of the transcript of these proceedings. The Board rejects Mr Williams's argument that Boss initiated the incident. It follows from what I have said that the appeal against conviction is dismissed.

The Board has carefully considered the submissions made by Mr Williams on behalf of the Appellant, Chad Schofield, and the submissions of Mr Cram on behalf of the Stewards. The Board is of the opinion that Chad Schofield is not remorseful. The Board, on the question of Boss's contribution, certainly does not condone Boss's retaliation, but it should be noted that Boss's actions were the result of an aggressive and unacceptable piece of riding by the Appellant, in which not only Boss's mount became unbalanced but Boss himself became unbalanced.

The Board agrees with Mr Cram that Schofield's attitude, as exhibited by his riding, was a matter of grave concern. It is claimed by Mr Williams that Schofield's understanding of the Rules of Racing was deficient, largely, if not entirely caused by his lack of training as an apprentice. The Board considers

that there is some merit in this argument but finds it impossible to believe that an apprentice as experienced as the Appellant would not have an appreciation that what he did was contrary to the Rules of Racing.

There are few, if any, mitigating factors which have been established in this case. Nonetheless, there are some. In the Board's opinion, the penalty imposed by the stewards was, on its face, manifestly insufficient. However, the fact that the Appellant is an apprentice and lacked the training given to Victorian apprentices has persuaded the Board not to interfere with the penalty imposed by the stewards.

Had the Appellant been a senior rider, it should be understood by Mr Schofield that the Board would have substantially increased the period of suspension. It follows that the appeal against penalty is dismissed.
