RACING APPEALS AND DISCIPLINARY BOARD



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HEARING RESULT

Distribution: Chief Executive

Group Integrity Services, Group Racing

Group Racing Development

Credit Controller ARB, ATA, VJA Office of Racing

T Moxon – National Drug Register

Racing Press

FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 21 March 2016

SUBJECT: HEARING RESULT – JOCKEY: GLYN SCHOFIELD

Panel Judge Bowman (Chair), Mr Brian Forrest (Deputy),

Mr Josh Bornstein (Deputy).

Appearances Mr James Ogilvy appeared as counsel for the stewards.

Mr Joe Ferwerda appeared as counsel for Mr Schofield.

Charge Breach of AR 85C(1)

(1) A licensed jockey or an apprentice jockey shall not, without the express written permission of the Principal Racing Authority that has issued his licence, have any interest in or be otherwise involved in the buying, selling, trading or leaving of the roughbred bloodstock.

trading or leasing of thoroughbred bloodstock.

The particulars being that Mr Schofield was involved in the buying and/or selling and/or trading of the racehorse *Equita* in about May 2015 without having the express permission of the Racing Victoria Stewards (or any

other Principal Racing Authority).

Plea Guilty.

Decision Mr Schofield convicted and fined \$50,000 – with 3 months to pay.

TRANSCRIPT OF

PROCEEDINGS

RACING APPEALS AND DISCIPLINARY BOARD

HIS HONOUR JUDGE BOWMAN, Chairman MR B. FORREST, Deputy Chairman MR J. BORNSTEIN, Deputy Chairman

EXTRACT OF PROCEEDINGS

PENALTY

JOCKEY: GLYN SCHOFIELD

MELBOURNE

MONDAY, 21 MARCH 2016

MR J. OGILVY appeared on behalf of the RVL Stewards

MR J. FERWERDA appeared on behalf of Mr B. Stanley

CHAIRMAN: Mr Glyn Schofield has pleaded guilty to a charge of breaching Australian Rule 85C which prohibits a licensed jockey from having an interest in or being otherwise involved in the buying, selling, trading or leasing thoroughbred bloodstock without permission.

We will not go through the factual basis. A helpful statement of agreed facts has been provided. Suffice to say that the matter involves the sale of the horse, Equita, to Hong Kong effectively for \$290,000, with the owners being under the belief that the sale price was \$200,000. Mr Schofield acted as an intermediary. It is no way suggested that he did anything dishonest or was aware of what the owners had been told.

However, he did take \$20,000 commission and passed on to trainer, Mr Brent Stanley, \$20,000 in cash in the jockeys' carpark at Randwick racecourse, his belief being that this was Mr Stanley's commission. Mr Stanley's case will be dealt with later this day.

Mr Ferwerda, in an eloquent plea on behalf of Mr Schofield, urged that we impose a modest fine. After some earnest consideration, we have ultimately decided that a period of suspension is not appropriate. We accept that Mr Schofield had some ignorance of the operation of the rule, and may even have entertained an erroneous belief following some communication with Stewards in New South Wales.

.Schofield 21/3/16

We appreciate the plea of guilty, and he cooperated fully with the Stewards.

We fully understand that this whole business has placed him under considerable stress and attracted to him unfavourable publicity. We could well understand that this might have impacted adversely on his riding opportunities.

However, we are also of the opinion that it is not just Mr Schofield's image that has suffered. The whole image of racing has suffered because of it.

General deterrence in relation to this sort of activity must be remembered.

For example, the handing over of \$20,000 in cash in the jockeys' carpark is just one circumstance that has a very poor look. Jockeys should not be acting as intermediaries in the sales of bloodstock.

We are of the opinion that a substantial fine is warranted. We bear in mind that the \$20,000 taken by Mr Schofield as commission has been kept by him and not returned. In our view, this offence is serious and warrants a fine of \$50,000 and that is the penalty which will be imposed. We think in the circumstances that a stay of three months is appropriate.
