

APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 25 August 2014

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

Panel Judge Russell Lewis (Chair), Mr Geoff Ellis, Mr Jeremy Rosenthal.

Appearances Mr Patrick Wheelahan appeared on behalf of Mr Schofield.
Mr Terry Bailey appeared on behalf of the Stewards.

At Caulfield on Saturday 16 August 2014, jockey Chad Schofield was found guilty of two charges of careless riding on his mount *You're So Good (NZ)* in Race 9 the *Australian Defence Force Handicap* (1100m).

Charge 1

The careless riding being that between the 900m and the 700m he permitted his mount to shift in, initially tightening the running of *Bloomingdale Miss* which then shifted in and made contact with *Esprit's Choice*; and then permitting his mount to continue to shift in unnecessarily crowding *Bloomingdale Miss* in onto *Esprit's Choice* which had to surrender its rightful running and this also caused tightening to *Bonaria*.

Mr Schofield had his licence to ride in races suspended for a period from midnight Saturday 16 August 2014 – midnight Tuesday 16 September 2014 (31 race meetings or one calendar month). The Stewards deemed the incident to be in the high range.

Charge 2

The careless riding being that near the winning post he permitted his mount to shift in tightening the running of *Danestroem* causing that horse to be checked severely and making contact with the running rail.

Mr Schofield had his licence to ride in races suspended for a period from midnight Saturday 16 August 2014 – midnight Saturday 30 August 2014 (14 race meetings) to be served concurrently with the suspension for charge 1. The Stewards deemed the incident to be in the mid-range.

A Notice of Appeal against **the severity of the penalty** was lodged on Monday, 18 August 2014. A stay of proceedings was not requested.

DECISION:

Charge 1 – appeal allowed.

Penalty varied so that the period of suspension will now expire at midnight on Friday, 12 September 2014. To be served concurrently with the suspension for Charge 2.

Charge 2 – the Board accepted an application for leave to withdraw the appeal.

Georgie Gavin
Registrar - Racing Appeals & Disciplinary Board

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR G. ELLIS
MR J. ROSENTHAL**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE AUSTRALIAN DEFENCE FORCE
HANDICAP OVER 1100 METRES AT CAULFIELD ON 16/8/14**

JOCKEY: CHAD SCHOFIELD

MELBOURNE

MONDAY, 25 AUGUST 2014

MR T. BAILEY appeared on behalf of the RVL Stewards

MR P. WHEELAHAN appeared on behalf of the Appellant

CHAIRMAN: This is an appeal by jockey, Chad Schofield, against the severity of the penalty for careless riding imposed by the Stewards on 16 August 2014. The suspension ran from midnight, 16 August 2014, until midnight, 16 September 2014.

During the course of the Stewards' inquiry, Chad Schofield reserved his plea, but in effect admitted that he had ridden carelessly.

Mr Wheelahan, of counsel, who appeared for Chad Schofield, submitted that the penalty was excessive, inter alia, because it was disproportionate to the degree of carelessness involved and was excessive when, generally speaking, the tariff for careless riding causing a fall was in the range of 20 to 29 meetings. I say "generally speaking" because each case is decided upon its own facts and circumstances.

Mr Wheelahan also submitted that Chad Schofield's attitude to riding has been tempered by the mentoring role of Mr Brent Thomson. The Board is of the opinion that Mr Thomson's contribution has not been as significant as Mr Wheelahan has submitted.

Mr Bailey, who presented the Stewards' case and who was Chairman of Stewards on the day, submitted that having regard to the degree of carelessness and the appalling record of suspensions incurred by Chad Schofield in the past, that the penalty was appropriate.

The Board agrees with Mr Bailey's submission that Chad Schofield's attitude to riding and the protection of fellow riders leaves much to be desired, as evidenced by his riding on this occasion and his past history. Nevertheless, the Board does take into account the numerous examples of penalties for careless riding where a fall has occurred.

In the Board's view, the penalty of 31 meetings was outside the range of penalties reasonably open to the Stewards. In the Board's opinion, the penalty should be varied so that the suspension expires at midnight on Friday, 12 September 2014. This penalty is to be served concurrently with the penalty the Appellant is currently serving.
