

APPEAL PANEL OF RACING NEW SOUTH WALES

IN THE MATTER OF THE APPEAL OF JOCKEY CHAD SCHOFIELD

Heard at Racing NSW Offices

Appeal Panel: **Mr L. Vellis - Convenor; Ms J. Foley; Mr P. Losh**

Representatives: **Appellant - Mr D. Kane, Solicitor for the Appellant**
Racing NSW - Mr S.G. Railton, Chairman of Stewards for Racing NSW

Date of Hearing: **19 October 2023**

Date of Reasons and Orders: **19 October 2023**

REASONS FOR DECISION

1. On 14 October 2023, licensed jockey Mr Chad Schofield (**Appellant**) was charged with a breach of the careless riding rule (AR 131(a)) following his ride on King of Sparta in Race 6, the \$2 million Feel New Sydney Stakes, at Randwick on that day.
2. The particulars of the charge were as follows:

"...that when you rode King of Sparta, approaching the 800 metres you did allow your mount to shift in and cause unnecessary crowding to Zapateo and contributing to crowding to Jojo Was A Man, and that soon after you did allow your mount to shift in further, resulting in further unnecessary crowding to Zapateo, and resulting in Jojo Was A Man being severely checked, and that occurred after the 800 metres."
3. The Appellant pleaded not guilty to breach of the rule. The Stewards graded his carelessness as "medium", and the consequences as "severely checked". The application of the Careless Riding Penalty Template (**Template**) resulted in a six meeting suspension of the Appellant's licence to ride. He has appealed to the Panel against the severity of the penalty.
4. At the hearing, the Panel was shown film of the race multiple times. The main issue on the appeal was whether the contribution percentage of 15% that was applied by the Stewards was insufficient and that a higher percentage should be applied to account for the significant role played by Tommy Berry shifting out on Art Cadeau. The Appellant contended that while he did not dispute he had breached the rule, he had maintained a tight line throughout and the severe check encountered by Jojo Was A Man and the crowding caused to Zapateo were initiated by Tommy Berry on Art Cadeau.

5. The Appellant conceded under questioning by Mr Railton that the relevant time, the horse in front of him, Inner Park, was four wide, and that the Appellant on King of Sparta had five horses on his inside and should therefore be on a six wide line.
 6. Having watched the film and listened to the evidence of the Appellant, the Panel is of the view that the Appellant was racing in a tight five wide line and despite opportunities to do so, did not correct his mount to take up a six wide position, when there were opportunities to do so.
 7. The Appellant raced too tight for too long and this was a significant factor in the interference caused to Jojo Was A Man and Zapateo, which was dangerous and raised safety concerns.
 8. The Panel see no basis upon which to adjust the contribution mitigation applied by the Stewards and are comfortable with the manner in which the Template was applied. In fact, through rounding down and non-consideration of the featured nature of the race, it could be said that the Appellant was treated very fairly by the Stewards.
 9. In these circumstances, the appeal must be dismissed.
 10. The orders of the Panel are:
 - a. Appeal dismissed.
 - b. Finding of a breach of AR 131(a) confirmed.
 - c. Penalty of a six meeting suspension of the Appellant's licence to ride confirmed, commencing on Sunday, 22 October 2023 and expiring on Sunday, 5 November 2023, on which day the Appellant may resume riding.
 - d. Appeal deposit to be forfeited.
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