28 September 2023

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**GREGORY SCHOFIELD**

**Date of hearing:** 28 September 2023

**Panel:** Justice Shane Marshall (Deputy Chairperson) and Mr Des Gleeson.

**Appearances:** Mr Anthony Pearce appeared on behalf of the Stewards.

Mr Gregory Schofield represented himself.

**Charge:** Greyhounds Australasia Rule (“GAR”) 169(5)(c) states:

(5) Pending the decision or outcome of an inquiry or other disciplinary process, a Controlling Body or the Stewards may direct that:

(c) a registration, licence, or other type of authority or permission be suspended.

**DECISION**

1. Mr Gregory Schofield has appealed from a decision of Stewards of Greyhound Racing Victoria (“GRV”) to suspend his registration as a public trainer/breeder effective as from 19 September 2023. The suspension was initially affected under Local Racing Rule (“LR”) 66.1 on 15 September 2023. That interim suspension was extended by the Stewards on 19 September 2023.
2. LR 66.1 provides that where, in the opinion of the Stewards, there is prima facie evidence that a registered person has breached the LR’s or any provision of Part 9 of the Greyhounds Australasia Rules (“GARs”) and it is necessary to make a decision immediately to protect the integrity of the sport of greyhound racing, the Stewards may immediately suspend the person concerned.
3. After making a decision under LR 66.1, the Stewards are required to request that the registered person concerned provide information in response to the matters relied on by the Stewards.
4. Mr Schofield’s interim suspension was extended by the Stewards after taking into account submissions from him. That decision, the subject of this appeal, was made under GAR 169(5)(c). That sub-rule permits a suspension to continue subject to the outcome of inquiries.
5. There are three current inquiries into matters relating to potential charges being laid against Mr Schofield. One concerns two positive swabs to amphetamine and methamphetamine in June 2023. The Stewards are actively considering presentation charges in relation to these matters. There are serious issues to be considered on those matters and given prior transgressions of prohibited substances Rules by Mr Schofield, it is possible that a lengthy disqualification would follow from any guilty finding in that matter.
6. The other two inquiries concern Mr Schofield’s failure to allow an inspection to occur and his alleged attendance at trials at Bendigo while suspended. It is unnecessary for the Stewards to rely on either that alleged conduct. In our view, the likely presentation charges in relation to amphetamine and methamphetamine are serious issues to be tried. The balance of convenience favours the continuation of the suspension given that the conclusion of that inquiry will be expedited by the Stewards.
7. In these circumstances, the interim suspension is unlikely to operate for long pending the hearing regarding the prohibited substance charges. We see no valid reason to overturn the decision of the Stewards to suspend the registration of Mr Schofield pending the hearing and determination of charges, at least on the prohibited substance matters. We note the undertaking of the Stewards to expediate at least the prohibited substance matters and the willingness of the Registrar to cooperate in the urgent listing of any consequent hearing.
8. The Order of the Tribunal is that the appeal is dismissed. The suspension will continue until the hearing and determination of the prohibited substance charges but may be lifted if those charges are not made out.

Mark Howard

Registrar, Victorian Racing Tribunal