

RACING NSW – STEWARDS REPORT



HEARING OF CHARGES ISSUED AGAINST LICENSED HARNESS DRIVER/TRAINER MR MATT SCHEMBRI IN RESPECT TO A STEWARDS INQUIRY CONDUCTED ON 4 JUNE 2018 REGARDING LICENSED TRAINER MR KYM HEALY CONSPIRING WITH MR SCHEMBRI TO STOMACH TUBE HORSES ON RACEDAY.

RNSW Offices
Druitt Street
Sydney

12 October 2018

Stewards: M F Van Gestel (Chairman)
P C Dingwall

Racing NSW Stewards today conducted a hearing to consider the following charges issued against licensed Broken Hill harness trainer/driver Mr Matt Schembri regarding an arrangement made with licensed trainer Mr Kym Healy to stomach tube horses on raceday.

- 1. Charge 1 - AR175(l)** - for conspiring with Mr Kym Healy and Mr Michael Honson to commit breaches of AR64G(1)(a) and AR178E(1).

The particulars of the charge being that Mr Matt Schembri did with the acquiescence of licensed trainer Mr Kym Healy at the Broken Hill harness meeting conducted on the evening of 16 March 2018, enter into an arrangement that Mr Michael Honson was to stomach tube Aussie Jack and Alitaka on 17 March 2018, prior to racing in their respective engagements on the 17 March 2018 at the Broken Hill race meeting, such arrangement being in contravention of AR64G(1)(a) and AR178E.

Plea: Not Guilty
Finding: Guilty

- 2. Charge 2 - AR175(p)** - failing to comply with a Stewards direction.

The particulars of the charge being that Mr Matt Schembri did fail to comply with a direction of the Racing NSW Stewards of 30 July 2018 to provide his itemised mobile call records for his mobile phone for the period 1 March 2018 to 18 March 2018 which was to include all itemised call and message records.

Plea: Not Guilty
Finding: Guilty

- 3. Charge 3 - AR175(g)** - for providing false evidence at a Stewards inquiry.

The details of the charge being that Mr Matt Schembri during a Stewards inquiry conducted by Racing NSW Stewards on 11 July 2018 relative to the raceday treatment of horses trained by licensed trainer Mr Kym Healy at Broken Hill on 17 March 2018, did on seven (7) occasions give evidence in the knowledge that such evidence was false.

Plea: Not Guilty
Finding: Guilty

Penalty

In determining penalty Stewards gave consideration to the following matters.

1. Serious nature of all three offences.
2. Personal circumstances of Mr Schembri.
3. Mr Schembri's clear record for like offences.
4. His not guilty plea to all three charges.

Charge 1 – 6 Months disqualification

Charge 2 – 12 Months disqualification

Charge 3 – 12 Months disqualification

Stewards ruled that the penalties for charges 1 and 3 be served concurrently and that charge 2 cumulatively to charge 1 and 3. Accordingly, Mr Schembri was disqualified for a period 12 months in total for charge 1 and 3 offences to commence on 12 November 2018 and to expire on 12 November 2019. In respect to charge 2, Mr Schembri was disqualified for a period to commence on 12 November 2019 and to expire on 12 November 2020.

Relevant Rules

AR 64G. (1) *A horse which is engaged to run in any race, official trial or jump-out must not be stomach-tubed without the permission of the Stewards:*

- (a) *at any time on the day of the scheduled race, official trial or jump-out and prior to the start of such event;*

AR 175. *The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise;*

- (g) *Any person who gives at any interview, investigation, inquiry, hearing and/or appeal any evidence which is false or misleading in any particular.*

- (l) *Any person who attempts to commit, or conspires with any other person to commit, or any person who connives at or is a party to another committing any breach of the Rules.*

- (p) *Any person who fails or refuses to comply with any order, direction or requirement of the Stewards or any official.*

AR 178E. (1) *Notwithstanding the provisions of AR 178C(2), no person without the permission of the Stewards may administer or cause to be administered any medication to a horse on race day prior to such horse running in a race.*

M F Van Gestel
Chairman of Stewards
General Manager - Integrity