



INQUIRY INTO A PHYSICAL ALTERCATION INVOLVING LICENSED TRAINER MR MARK SCHMETZER AND LICENSED STABLEHAND MR TONY WHITFIELD AT SCONE RACECOURSE ON MONDAY 15TH NOVEMBER 2021.

Scone Racecourse

Tuesday 7th December 2021

**Stewards: S J Woolaston (Chairman)
B J Pearce
S K Morrish**

Racing NSW Stewards today inquired into the circumstances in relation to a physical altercation involving licensed trainer Mr Mark Schmetzer and licensed stablehand Mr Tony Whitfield that took place on the Scone Racecourse around 8.15am on Monday 15th November 2021.

Evidence today was taken from Mr Schmetzer and licensed trainer Mr Cameron Crockett, Mr Whitfield, and licensed stablehands Ms Sarah McDonough, Mr Daniel Edwards, Mr Cobi Vitler, Ms Rowena Dillon and licensed jockey Mr James Baker. A brief of evidence, including CCTV footage of the incident, tendered by Racing NSW Investigators was also considered.

Charges

Licensed trainer Mr Mark Schmetzer was charged with improper conduct under AR228(b).

AR 228 Conduct detrimental to the interests of racing

A person must not engage in:

(b) misconduct, improper conduct or unseemly behaviour;

The details of the charge being

1. He is a licensed trainer with Racing NSW.
2. At or around 8:15am on Monday 15 November 2021, in the vicinity of the horse swimming pool at the Scone racecourse, whilst riding the racehorse Royal Exit trained by Mr Schmetzer, he did dismount from Royal Exit and engage in a physical altercation with licenced stablehand Mr Tony Whitfield.
3. During such altercation he did strike Mr Whitfield in the vicinity of the head with a closed fist and push Mr Whitfield resulting in Mr Whitfield falling to the ground and

whilst on the ground he did continue to physically assault Mr Whitfield by striking him with a closed fist in the vicinity of the head on several occasions.

4. Whilst engaging in the physical altercation with Mr Whitfield, he failed to adequately restrain, secure or have proper regard for Royal Exit, resulting in Royal Exit becoming fractious and unrestrained and cantering riderless on the Scone racecourse. Such occurrence having the potential to cause serious injury to Royal Exit and other horses, or persons located on Scone racecourse at the relevant time.
5. As a result of his actions in striking and pushing Mr Whitfield during the physical altercation, the horse Mr Whitfield was leading, namely Divine Sinner, became fractious and unrestrained on the Scone racecourse. Such occurrence having the potential to cause serious injury to Divine Sinner and other horses, or persons located on Scone racecourse at the relevant time.

Plea: Guilty

Finding: Guilty

Penalty

In assessing penalty Stewards considered the following matters.

1. Guilty plea.
2. Licensing history and disciplinary record.
3. Seriousness of the breach and the negative impact such actions have on the image of the industry.

Stewards determined the appropriate penalty be a period of 6-month disqualification. Having regard to Mr Schmetzer's guilty plea and forthright evidence, a period of 4 ½ month disqualification was issued to commence immediately and to expire on 21st April 2022 on which day he may reapply for a licence. Mr Schmetzer was advised the period of disqualification would be deferred under AR263(7) to allow him to care for and make arrangements for horses under his care, however he must not start a horse in a race or barrier trial during this period.

Licensed stablehand Mr Tony Whitfield was charged with improper conduct under AR228(b).

AR 228 Conduct detrimental to the interests of racing

A person must not engage in:

(c) misconduct, improper conduct or unseemly behaviour;

The details of the charge being

1. He is a licensed stablehand with Racing NSW.

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2. At or around 8:15am on Monday 15 November 2021, in the vicinity of the horse swimming pool at the Scone racecourse, whilst riding the racehorse Divine Sinner, he did direct verbal insults towards licensed trainer Mr Mark Schmetzer and soon after did then dismount from Divine Sinner and engage in a physical altercation with Mr Schmetzer.
3. Whilst engaging in the physical altercation with Mr Schmetzer, he failed to adequately restrain, secure or have proper regard for Divine Sinner, resulting in Divine Sinner becoming fractious and unrestrained and becoming riderless on the Scone racecourse. Such occurrence having the potential to cause serious injury to Divine Sinner and other horses, or persons located on Scone racecourse at the relevant time.

Plea: Not guilty

Finding: Guilty

Penalty

In assessing penalty Stewards considered the following matters.

1. Not guilty plea.
2. Licensing history and disciplinary record.
3. Seriousness of the breach and the negative impact such actions have on the image of the industry.

Stewards determined the appropriate penalty be a period of 6-month disqualification to commence immediately and to expire on 8th June 2022 on which day he may reapply for a licence.

S J Woolaston
Chief Steward HNWRA