

MR MATTHEW SCHEMBRI INQUIRY

OCTOBER 30, 2019

HARNES Racing New South Wales (HRNSW) Stewards concluded an inquiry regarding an investigation in relation to the betting activities of Mr Matthew Schembri while he was formerly licensed as a Driver.

In addition, HRNSW Stewards investigated the betting activities of Mr Schembri since he has been a disqualified person.

Mr Schembri pleaded guilty to twenty-five (25) charges issued against him by HRNSW Stewards pursuant to Australian Harness Racing Rule (AHRR) 173 (1) & (6) as follows:

AHRR 173. (1) A driver shall not bet in a race in which the driver participates.

(2) A driver engaged to drive at a meeting shall not enter the betting area of the racecourse during the period commencing 60 minutes before the time fixed for the first race and finishing at the completion of the driver's engagements at the meeting.

(3) For the purposes of this rule, betting area means those areas of a racecourse where betting with an approved wagering operator is conducted.

(4) A driver or the trainer of a horse shall not authorise, enable, permit or allow another person to place a bet on a betting account of the driver or the trainer.

(5) A driver or trainer shall not place or have an interest in a bet on any betting account other than an account registered in their own name.

(6) Any person who fails to comply with any provision of this rule is guilty of an offence.

In addition, Mr Schembri pleaded guilty to two (2) charges pursuant to Australian Harness Racing Rule (AHRR) 259 (1) & (7) as follows:

AHRR 259. (1) A disqualified person or a person whose name appears in the current list of disqualifications published or adopted by a recognised harness racing authority or a person warned off cannot do any of the following -

(a) associate with persons connected with the harness racing industry for purposes relating to that industry;

(b) be a member or employee of the Controlling Body;

(c) be an office holder, official, member or employee of a club;

(d) enter a racecourse or any place under the control of a club or Controlling Body;

(e) race, lease, train, drive or nominate a horse;

(f) conduct breeding activities;

(g) enter any premises used for the purposes of the harness racing industry;

(h) participate in any manner in the harness racing industry.

(i) permit or authorise any person to conduct any activity associated with the harness racing industry at his/her registered training establishment.

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(j) place, or have placed on their behalf, or have any other interest in, a bet on any Australian harness racing race.

(k) associate with licensed persons connected with the thoroughbred or greyhound racing industry including but not limited to entering any premises owned or occupied by such licensed persons....

(7) A disqualified person who fails to comply with this rule is guilty of an offence.

In relation to the charges issued pursuant to AHRR 259(1) & (7), HRNSW Stewards considered AHRR 259A as follows:

AHRR 259A In addition to any penalty imposed pursuant to Rule 259 (7) the original period of disqualification shall unless otherwise ordered by the Stewards automatically recommence in full.

Consequently, HRNSW Stewards ordered that the original period of twenty (20) months disqualification adopted by Harness Racing NSW recommence in full from 6 June 2019, the date of the last bet identified by Stewards as having been placed by Mr Schembri prior to him being informed of the Stewards investigation.

The current period of twenty (20) months disqualification will recommence from 6 June 2019 and conclude on 5 February 2021.

Following the conclusion of that disqualification, HRNSW Stewards imposed a further four and a half (4 ½) months disqualification to commence from 6 February 2021 and expire on 20 June 2021 in relation to these current offences.

In relation to the charges issued pursuant to AHRR 173(1) & (6), twenty (20) of those offences involved Mr Schembri betting on horses that he drove in the respective races. Consequently, Mr Schembri was fined a total of \$2000 in relation to those offences.

In relation to the remaining five (5) offences, these involved Mr Schembri betting on the horse driven by him in combination with another horse or horses. Consequently, Mr Schembri was disqualified for a period of two (2) months in relation to those matters to commence at the conclusion of the previously mentioned disqualification periods.

Consequently, the penalties imposed upon Mr Schembri are as follows:

The current period of twenty (20) months disqualification will recommence from 6 June 2019 and conclude on 5 February 2021.

Mr Schembri will then become subject to a further four and a half (4 ½) months disqualification to commence from 6 February 2021 and expire on 20 June 2021.

At the conclusion of that period of disqualification, Mr Schembri will then become subject to a further two (2) months disqualification from 21 June 2021 and conclude on 20 August 2021.

A fine of \$2000 was also imposed.

In considering penalty Stewards were mindful of the following:

- Mr Schembri's involvement in the harness racing industry, his licence history and offence record;
- The seriousness of the offences;
- Mr Schembri's personal subjective facts;
- Mr Schembri's guilty pleas and remorse.

Mr Schembri was advised of his right to appeal

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