29 November 2024

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**JORDAN LEEDHAM**

**Date of hearing:** 19 November 2024

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**Panel:** Judge John Bowman (Chairperson) and Mr Robert Abrahams

**Appearances:** Mr Andrew Cusumano appeared on behalf of the Stewards.

Mr Jordan Leedham represented himself.

**Charges:** Australian Harness Racing Rule (“AHRR”) 238 states:

A person shall not fail to comply with any order, direction or requirement of the Controlling Body or the Stewards relating to harness racing or to the harness racing industry.

AHRR 173(1) states:

A driver shall not bet in a race in which the driver participates.

AHRR 187(2) states:

A person shall not refuse to answer questions or to produce a horse, document, substance or piece of equipment, or give false or misleading evidence or information at an inquiry or investigation.

**Particulars: Charge 1: AHRR 238**

1. You were, at all relevant times, a licensed driver with HRV, and a person bound by the Australian Harness Racing Rules.

2. By signing and submitting to HRV your Driver Licence Renewal Application 2020/2021 dated 23 August 2020, you made the following declaration (as set out under the Betting Declaration section in the Application):

*I declare that if I open an account or gain access to an account in the name of another person, I will immediately advise HRV of such an account. I understand that any licence I hold may be withdrawn should I make a false declaration or fail to immediately notify HRV of an account that I open or am able to access.*

3. On 10 February 2021, you opened a betting account with betting agency NEDS.

4. You failed to notify HRV that you opened an account with NEDS and, by failing to do so, you failed to comply with a requirement of the Controlling Body relating to harness racing or to the harness racing industry.

**Charge 2: AHRR 173(1)**

1. You were, at all relevant times, a licensed driver with HRV, and a person bound by the Australian Harness Racing Rules.

2. On 17 February 2021, you placed the following bets on your NEDS betting account in respect of Race 9 at the Bendigo harness racing meeting on 17 February 2021 (the Race):

a. At approximately 4:34pm, you placed a fixed win bet for ‘Redbank Rendezvous’ to win the Race as a leg in a $50 three-leg multi-bet;

b. At approximately 9:39pm, you placed a $100 fixed win bet for ‘Redbank Rendezvous’ to win the Race;

c. At approximately 9:39pm, you placed a $50 ‘Pick Your Own Odds’ bet for ‘Redbank Rendezvous’ to win the Race at odds of $10;

d. At approximately 9:39pm, you placed a $50 ‘Pick Your Own Odds’ bet for ‘Redbank Rendezvous’ to win the Race at odds of $17;

3. On 17 February 2021, at approximately 10:19pm, you drove ‘Redback Rendezvous’ in the Race.

4. As the driver of ‘Redbank Rendezvous’ in the Race, you did bet in a race in which you participated.

**Charge 3: AHRR 173(1)**

1. You were, at all relevant times, a licensed driver with HRV, and a person bound by the Australian Harness Racing Rules.

2. On 25 February 2021, you placed the following bets on your NEDS betting account in respect of Race 8 at the Echuca harness racing meeting on 25 February 2021 (the Race):

a. At approximately 9:19pm, you placed a $25 fixed win bet for ‘Union King’ to win the Race;

b. At approximately 9:19pm, you placed a $50 fixed place bet for ‘Union King’ to place in the Race.

3. On 25 February 2021, at approximately 9:51pm, you drove ‘Union King’ in the Race.

4. As the driver of ‘Union King’ in the Race, you did bet in a race in which you participated.

**Charge 4: AHRR 173(1)**

1. You were, at all relevant times, a licensed driver with HRV, and a person bound by the Australian Harness Racing Rules.

2. On 5 March 2021, at approximately 6:50pm, you placed a $50 ‘Pick Your Own Odds’ bet on your NEDS betting account for ‘Wow You Can Dance’ to win Race 5 at Mildura on 5 March 2021 (the Race).

3. On 5 March 2021, at approximately 7:40pm, you drove ‘Wow You Can Dance’ in the race.

4. As the driver of ‘Wow You Can Dance’ in the Race, you did bet in a race in which you participated.

**Charge 5: AHRR 187(2)**

1. At all relevant times, you were a licensed driver with HRV, and a person bound by the Australian Harness Racing Rules.

2. On 6 April 2022, you were interviewed by HRV Senior Steward Adrian Crowther and Investigative Steward Brad Powell (the Stewards) in relation to a betting investigation concerning HRV licensed participant Jayden Brewin (the Interview).

3. During the interview, you gave evidence to the effect that you had never placed any wagers on behalf of Mr Brewin, and that Mr Brewin had never asked you to place a wager on his behalf.

4. The evidence (as noted in particular 3) was false and / or misleading, given that you gave evidence in a subsequent interview with the Stewards on the same date that you had placed bets on behalf of Mr Brewin, and that Mr Brewin had asked you to place bets on his behalf.

**Pleas:** Guilty

**DECISION**

Mr Jordan Leedham, you are pleading guilty to five breaches of the Rules. Essentially, they relate to betting offences. We say at the outset that the amounts involved were not huge and the bets essentially involved horses which you were driving.

The case on behalf of the Stewards was presented very fairly by Mr Andrew Cusumano, as would be expected, and the penalties sought by the Stewards were by way of fines.

Charge 1 involves Australian Harness Racing Rule (“AHRR”) 238. It concerns a failure to advise Harness Racing Victoria (“HRV”) of a betting account you opened with NEDS on 10 February 2021.

Charges 2, 3 and 4 involve bets placed by you in connections with horses driven by you at particular meetings. Charge 2 relates to a drive at Bendigo on 17 February 2021, Charge 3 was at Echuca on 25 February 2021, and Charge 4 was at Mildura on 5 March 2021. On each occasion the betting involved a race in which you were driving. These were clear and admitted breaches of AHRR 173(1).

Charge 5 is pursuant to AHRR 187(2). It concerns the giving of false and misleading evidence to the Stewards concerning the placing of bets on behalf of a fellow participant. This you initially denied, but later admitted the truth of the allegation. This admission was on the same day, namely 6 April 2022.

No relevant prior offences are alleged against you. As stated, you have pleaded guilty to all offences. You are now 21 years of age and are driving very successfully, obtaining a dozen or so drives a week and having driven in excess of 60 winners in the current year.

You also work regularly in the industry. You have a partner and various ongoing expenses, involving rent, purchase of a motor vehicle, some industry expenses and the usual living expenses.

Overall, you impress as a talented driver and a competent, straightforward young industry participant. We accept that you have learned your lesson.

The penalties sought by way of fines by Mr Cusumano seem to us to be fair and reasonable and in accordance with penalties imposed in past similar cases. Indeed, there was no great challenge to them by you.

Accordingly, we impose the following fines:

On Charge 1, a fine of $500.

On Charges 2, 3 and 4, a fine of $750 on each charge. There is no concurrency.

On Charge 5, a fine of $500.

This makes a total fine of $3,250. We appreciate that this is a substantial amount for a young man such as yourself, but the image of harness racing and the work that has to be done by the Stewards to protect that image, and to do it without being misled, are very important considerations.

We shall leave it to the parties to make any arrangements concerning the payment of the fines totalling, as said, $3,250.

Kathleen Scully

Assistant Registrar, Victorian Racing Tribunal