4 August 2025

**DECISION**

**RACING VICTORIA**

**and**

**JACOB BIDDELL**

**Date of hearing:** 22 July 2025

**Date of decision:** 22 July 2025

**Panel:** Judge John Bowman (Chairperson), Mr Des Gleeson and Ms Judy Bourke.

**Appearances:** Mr Raymond Livingstone appeared on behalf of the Stewards.

Mr Matthew Stirling appeared on behalf of Mr Biddell.

**Charges and particulars:** **Charge 1 of 4: AR 139(1)(b)**

Australian Rule of Racing (“AR”) 139(1)(b) reads as follows:

**AR 139 Offences where riders use banned substances:**

1. *A rider breaches these Australian Rules if:*

*(b) the rider refuses or fails to deliver a sample as directed by the Stewards, tampers with, adulterates, alters, substitutes, or in any way hinders the collection of, a sample or attempts to do any of those things.*

**The particulars of the charge**

1. You are, and were at all relevant times, a Stable Employee registered with Racing Victoria and a person bound by the Rules of Racing.
2. On 21 May 2024*,* you were riding track work at the Cranbourne racecourse, following which you were directed by the Stewards to provide a sample of your urine.
3. On 21 May 2024, in providing a urine sample (**301738**), you substituted your urine with urine from a third party**.**
4. Your conduct, as outlined in particular 3, constitutes a breach of AR 139(1)(b).

**Charge 2 of 4: AR 139(1)(b)**

AR 139(1)(b) reads as follows:

**AR 139 Offences where riders use banned substances:**

1. *A rider breaches these Australian Rules if:*

*(b) the rider refuses or fails to deliver a sample as directed by the Stewards, tampers with, adulterates, alters, substitutes, or in any way hinders the collection of, a sample or attempts to do any of those things.*

**The particulars of the charge**

1. You are, and were at all relevant times, a Stable Employee registered with Racing Victoria and a person bound by the Rules of Racing.
2. On 21 May 2024*,* you were riding track work at the Cranbourne racecourse, following which you were directed by the Stewards to provide a sample of your urine.
3. On 21 May 2024, in providing a urine sample (**302561**), you substituted your urine with urine from a third party.
4. Your conduct, as outlined in particular 3, constitutes a breach of AR 139(1)(b).

**Charge 3 of 4: AR 139(1)(b)**

AR 139(1)(b) reads as follows:

**AR 139 Offences where riders use banned substances:**

1. *A rider breaches these Australian Rules if:*

*(b) the rider refuses or fails to deliver a sample as directed by the Stewards, tampers with, adulterates, alters, substitutes, or in any way hinders the collection of, a sample or attempts to do any of those things.*

**The particulars of the charge**

1. You are, and were at all relevant times, a Stable Employee registered with Racing Victoria and a person bound by the Rules of Racing.
2. On 3 October 2024*,* you were riding track work at the Cranbourne racecourse, following which you were directed by the Stewards to provide a sample of your urine.
3. On 3 October 2024, in providing a urine sample (**302565**), you substituted your urine with urine from third parties.
4. Your conduct, as outlined in particular 3, constitutes a breach of AR 139(1)(b).

**Charge 4 of 4: AR 139(1)(a)**

AR 139(1)(a) reads as follows:

**AR 139 Offences where riders use banned substances:**

1. *A rider breaches these Australian Rules if:*
2. *A banned substance under AR 136(1) is detected in a sample taken from a rider.*

**The particulars of the charge**

1. You are, and were at all relevant times, a Stable Employee registered with Racing Victoria and a person bound by the Rules of Racing.
2. On 7 March 2025*,* you were riding track work at the Cranbourne racecourse, following which you were directed by Stewards to provide a sample of your urine.
3. On 7 March 2025, a urine sample (**302740**) was collected from you (the **Sample**)**.**
4. An analysis of the Sample detected the presence of 11-nor-delta-9-tetrahydrocannabinol-9-carboxylic acid.
5. 11-nor-delta-9-tetrahydrocannabinol-9-carboxylic acid is a banned substance pursuant to AR 136(1) of the Rules of Racing.

A person must not

(b) if the person is in charge of a horse - fail at any time:

(iv) to provide proper and sufficient nutrition for the horse.

**Pleas:** Guilty to all Charges.

**DECISION**

Mr Jacob Biddell, you are appealing the penalties imposed by the Stewards in relation to four charges to which you plead guilty.

Charges 1 and 2 are breaches of Australian Rule of Racing (“AR”) 139(1)(b), which could be summarised as being altering or substituting the delivery of a sample, in this case being a urine sample. They relate to samples taken at Cranbourne racecourse on the morning of 21 May 2024. You are a trackwork rider and were present at the course on that day. You substituted the urine of another person for your urine.

As stated, there were two such breaches, as two separate samples were taken and on each occasion the urine of another person was substituted for your urine.

It is admitted that these substitutions were done because you were fearful of the tests proving positive to marijuana so that the samples of other persons were substituted.

Charge 3 relates to a urine sample taken at Cranbourne racecourse on 3 October 2024, when you were again riding trackwork. Again, urine from another person or persons was substituted for your urine. As stated, Charges 1, 2 and 3 involve AR 139(1)(b).

Charge 4 is pursuant to AR 139(1)(a). This concerns a sample of urine taken from you at Cranbourne racecourse on 7 March 2025. This sample tested positive to marijuana. The test revealed marijuana much over the threshold.

Obviously, these are very serious matters, and that can be said particularly on Charges 1, 2 and 3, where a wilful deceit of an important Rule, which could be described as a safety or welfare Rule, took place.

Your background is that you are almost 27 years of age. Your occupation was that of a trackwork rider, although you also train greyhounds.

It is evident that you are a highly skilled rider. Impressive references from Ms Lucy Yeomans and Mr Mark Webb, both prominent figures in the industry and who have used your services, were put before us. You have no previous relevant offences.

As stated, we bear in mind that you have no record of any prior offences, although you have been involved in the industry for some years.

We also bear in mind that you have not been participating in work in the industry since 7 March 2025, when you were stood down and were disqualified on 27 May 2025. Although, you obtained a stay on the following day, you have not been working in the industry since 7 March 2025.

We take into account that you have some physical and painful upper body symptoms originating from a fall some years ago and that the use of marijuana or products containing marijuana related to this. It does not, however, justify the taking of marijuana, much less at the very high level that occurred in this case.

Charges 1, 2 and 3 are serious charges indeed. Random testing is important to the welfare of racing, its image, and the safety of its participants. To thwart and effectively attempt to nullify the testing procedures is indeed serious, apart from involving wilful deceit. This is not to play down the importance of Charge 4, having marijuana in your system when riding trackwork.

We again refer to your plea of guilty, which reflects your co-operation with the Stewards. We bear in mind your absence from the industry since 7 March 2025 and your very good record. We also bear in mind the decisions in other cases to which Mr Livingstone, on behalf of the Stewards, referred and the matters put before us in Mr Stirling’s detailed and very thorough plea.

Bearing all this in mind, we uphold the appeal on Charges 1, 2 and 3 and impose the following penalties:

On Charge 1, disqualification for a period of six months.

On Charge 2, disqualification for six months, concurrent with the penalty imposed on Charge 1.

On Charge 3, disqualification for a period of six months, cumulative upon the penalty imposed on Charge 1.

On Charge 4, the appeal against penalty is dismissed. The penalty is a two month suspension, fully concurrent with Charges 1, 2 and 3.

Thus, there is a total disqualification period of 12 months commencing from today.

Mark Howard

Registrar, Victorian Racing Tribunal