21 August 2025

**DECISION**

**RACING VICTORIA**

**and**

**JOE ARIA**

**Date of hearing:** 20 August 2025

**Date of decision:** 20 August 2025

**Panel:** Magistrate Peter Reardon (Chairperson), Ms Judy Bourke and Mr Des Gleeson.

**Appearances:** Mr Marwan El-Asmar appeared on behalf of the Stewards.

Mr Joe Aria represented himself.

**Charges and particulars:** **Charge 1 of 2: AR 229(1)(a)**

AR 229(1)(a) reads as follows:

***AR 229 Corruption, dishonesty and misleading behaviour***

1. *A person must not:*
2. *engage in any dishonest, corrupt, fraudulent, improper or dishonourable action or practice in connection with racing;*

*…*

**Particulars**

1. You were, at all relevant times:
* An owner registered with Racing Australia;
* A ‘relevant person’ pursuant to LR 2; and
* A person bound by the Rules of Racing.
1. On 23 April 2025, you submitted to Racing Australia a Stable Employee Registration / Renewal Form signed and dated 22 April 2025 (the **Application**).
2. The Application included a Veritas Criminal History Check dated 21 April 2025.
3. Prior to submitting the Application, you made changes to the Veritas Criminal History Check, in that you altered:
4. The ‘Check Details’ subheading;
5. The ‘Submitted’ date;
6. The ‘Match Date’;
7. The ‘Release Date’;
8. The ‘Position Title/Occupation’; and
9. The ‘Disclosable History’ by removing the entry for the offence of “Murder” recorded on 6 August 2004.
10. Your actions, as set out in particulars 2-4, constitute dishonest, fraudulent, improper and/or dishonourable action or practice in connection with racing.

**Charge 2 of 2 – AR 229 (1)(h)**

AR 229(1)(h) reads as follows:

***AR 229 Corruption, dishonesty and misleading behaviour***

1. *A person must not:*

*…*

*(h) make a false or misleading statement or declaration in relation to a matter in connection with the administration or control of racing;*

***…***

**Particulars**

1. You were, at all relevant times:
* An owner registered with Racing Australia;
* A ‘relevant person’ pursuant to LR 2; and
* A person bound by the Rules of Racing.
1. On 15 May 2025, you attended Racing Victoria’s Head Office to participate in a Show Cause Hearing (**SCH**) with the Stewards, during which you made false and/or misleading statements to the Stewards concerning the Veritas Criminal History Check, stating:
	* 1. you contacted Veritas by phone and spoke to a female staff member;
		2. during this call, the Veritas representative informed you that you could limit the check to the previous 10 years;
		3. based on this advice, you manually changed several fields on the document, including the date range, prior to submitting the altered version with your application; and
		4. your actions, in altering the date range and removing a disclosable outcome with the intention of submitting the document, were done with the knowledge and approval of the Veritas representative.
2. Your statements to the Stewards during the SCH, as outlined in particular 2, were false and/or misleading, and accordingly in breach of AR 229(1)(h).

 **Pleas:** Guilty to both Charges.

**DECISION**

1. Mr Joe Aria was, all at relevant times, an owner registered with Racing Australia, a relevant person pursuant to LR2 and a person bound by the Australian Rules of Racing (“AR”).
2. Mr Aria has pleaded guilty to two charges under AR 229(1)(a) and AR 229(1)(h). Both charges relate to corruption, dishonesty and misleading behaviour arising from his application to be registered as a Racing Manager with Mr Robert Hickmott, a licensed trainer with Racing Victoria (“RV”).
3. In June 2024, RV denied your application to be registered as a stable employee on the basis that you were deemed to not meet the RV suitability policy.
4. On 23 April 2025, Mr Aria lodged documentation with Racing Australia to be registered as Racing Manager with Mr Robert Hickmott. At that time, he was registered as an owner with Racing Australia, a relevant person and a person bound by the Rules of Racing.
5. As part of the Application Process, Mr Aria was required to include a National Police Check. Charge 1 alleges that he deliberately made changes to the Veritas National Police Check. Charge 2 relates to the fact that when he was required to attend a Show Cause hearing about his application, he made false and/or misleading statements to the Stewards concerning the Veritas Criminal History Check.
6. On 21 April 2025, Mr Aria was provided with the National Police Check application form for completion and directed to submit it to the authorised external provider, Veritas, an Australian Criminal Intelligence Commission (“ACIC”) accredited agency responsible for conducting National Police Checks.
7. Prior to submitting the application to Racing Australia, Mr Aria made changes to the Veritas National Police Check and altered the following items:
8. The ‘Check Details’ subheading;
9. The ‘Submitted’ date;
10. The ‘Match Date’;
11. The ‘Release Date’;
12. The ‘Position Title/Occupation’; and
13. The ‘Disclosable History’ by removing the entry for the offence of “Murder” recorded on 6 August 2004.
14. Mr Aria’s actions set out above constitute dishonest, fraudulent and/or dishonest action or practice in connection with racing.
15. On 15 May 2025, Mr Aria attended a Show Cause hearing at RV to assess whether he was a fit and proper person to be registered as a Racing Manager under the RV suitability criteria.
16. Mr Aria appeared before the RV Deputy Chairman of Stewards, Mr James Hitchcock, Steward, Mr Ray Livingstone, and General Manager Investigations and Intelligence, Mr Brent Fisher.
17. During the Show Cause hearing, Mr Aria stated that he had spoken with a female Veritas employee named “Angela.” He said that he explained to her that he did not want a full National Police Check covering his entire criminal history of more than 25 years. Mr Aria further stated that Angela informed him that, within the last 10 years, nothing significant appeared on his record and/or nothing was identified through a National Police Check, and that the check related only to the previous 10 year period. Mr Aria said that he subsequently altered the dates on the form and asked if it could be submitted as a 10 year police check, to which she allegedly responded yes.
18. Mr Aria further stated that he made three telephone calls with Veritas about his application. RV states this version of events is a fabrication and the form alternation was done with the purpose of deceiving RV in order to have his application approved.
19. RV made enquiries with Veritas who informed them that they have no record of any staff member by the name of Angela and that they have no record of speaking to Mr Aria from his mobile phone.
20. Veritas also confirmed that the National Police Check had been altered and that no staff member would ever advise an applicant to alter a National Police Check. Veritas are audited, operate under an agreement and must comply with such requirements of being an accredited agency.
21. Pursuant to AR 20, RV directed Mr Aria, by letter on 30 May 2025, to provide his mobile phone records highlighting all relevant phone calls made to Veritas.
22. Mr Aria informed Mr Hitchcock that he would obtain his mobile phone records and would provide them as soon as possible.
23. On 11 June 2025, Mr Aria emailed Mr Hitchcock stating that he had gone through his mobile phone records and could not confirm any calls to Veritas. He went on to state, if any calls were made, it was from his personal phone or another phone at his previous employment.
24. Mr Aria never produced any phone records and then stated that he wished to withdraw his application.
25. To the credit of Mr Aria, he has pleaded guilty to the two charges at the earliest opportunity and is entitled to a discount in sentencing.
26. Mr Aria has submitted three character references. The first from Mr George Stamas AM, a former employer at GJK Security Services. The second is from Mr Robert Hickmott (unsigned), both in a professional and personal capacity as his trainer, horse ownership partner and family friend. The third was from Mr Ian Smith, a fellow owner in the racing industry.
27. The references also relate to Mr Aria’s poor health and refer to his pancreatic cancer diagnosis in 2023. The references outline the resilience and courage Mr Aria has shown to overcome that condition. Further, they state that he is a loyal, hard-working person and overall, he is well liked and a positive influence in the racing industry.
28. It should be noted that whilst these references refer to his remorse, good character and longstanding contribution to the racing industry, especially Mr Hickmott’s (unsigned) reference, they are difficult to take seriously given Mr Aria has spent a significant portion of this century in prison.
29. Mr Aria has also submitted what he describes as an Ownership Impact Statement. This document outlines the detrimental effect that any potential penalty would have on his capacity as an owner and the effect on the horses, as they may not be permitted to race in his name. He asserts that this would unfairly impact the careers of the horses themselves. Further, Mr Aria stated that suspending or disqualifying him would negatively impact both his ownership rights and those of his fellow owners. He added that, in his view, a reprimand or a fine at the lower end of the scale would be a more appropriate outcome.
30. These are serious offences and attempt to strike at the heart of the integrity of the racing industry. The integrity of RV is of significant importance, and it is imperative that they maintain a transparent and honest industry to ensure a level of public trust. Reliance on the honesty of participants in the industry is essential. Persons who attempt to corrupt the process by deception or like conduct, have the potential to cause great harm to the racing industry and its reputation. Participants need to be deterred by the imposition of significant penalties if they are guilty of such offences.
31. The Ownership Impact Statement does not demonstrate much understanding by Mr Aria of the seriousness of the charges. He seeks a small fine or a reprimand for his deceptive conduct over a two month period that related to submitting an altered form, lying to the Stewards at a Show Cause hearing and sending an email containing falsehoods. Mr Aria only ceased this conduct when it became clear his deception would not succeed, ultimately resulting in him seeking to withdraw his application.
32. General and specific deterrence are both relevant considerations in relation to these offences. Such conduct must be denounced in order to discourage others from engaging in similar behaviour. The Tribunal wishes to make clear that significant penalties will be imposed on those who commit these offences.
33. Accordingly, the Tribunal imposes the following penalties:

Charge 1: five years disqualification.

Charge 2: 12 months disqualification, with six months to be served concurrently with the penalty imposed on Charge 1.

1. Thus, the total penalty is a disqualification for five years and six months, to commence immediately.

Mark Howard

Registrar, Victorian Racing Tribunal