12 August 2025

**DECISION**

**RACING VICTORIA**

**and**

**LUKE ANDERSON**

**Date of hearings:** 5 August 2025

**Date of decision:** 5 August 2025

**Panel:** Judge Marilyn Harbison (Deputy Chairperson) and Mr Des Gleeson.

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

Mr Luke Anderson represented himself.

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

Australian Racing Rule “AR” 229(1)(a) reads as follows:

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

1. *A person must not:*

*(a)*  *engage in any dishonest, corrupt, fraudulent, improper or dishonorable action or practice in connection with racing.*

**Particulars of Charge**

1. You are, and were at all relevant times, a Stable Employee registered with Racing Victoria.

1. On 11 May 2024, you offered a 2.5% share in an unnamed gelding, which later became registered as Jirachi (the **Horse**), to Allison Margaritis for the amount of $2,500.00, which Ms. Margaritis accepted.

1. On 11 May 2024, Ms. Margaritis paid the amount of $2,500.00 into your nominated bank account.

1. At all relevant times, you did not own the Horse or have authority to sell any shares in the Horse.

1. Your conduct, as outlined in particulars 2 - 4, was dishonest, fraudulent and/or improper, and accordingly in breach of AR 229(1)(a).

**Charge 2 of 2: AR 227(b)**

AR 227(b) reads as follows:

***AR 227 Breaches of the Rules***

*Without limiting any other powers, a PRA or the Stewards may penalise any person who:*

*…*

*(b) attempts to commit, aids, abets, counsels, procures, connives at, approaches or requests another person to commit, conspires with another person to commit, or is a party to another person who commits, a breach of the Rules.*

**Particulars of Charge**

1. You are, and were at all relevant times, a Stable Employee registered with Racing Victoria.

1. On 18 May 2024, you offered a 2.5% share in an unnamed gelding, which later became registered as Jirachi (the **Horse**), to Allison Margaritis for the amount of $2,500.00, which Ms. Margaritis did not accept.

1. At all relevant times, you did not own the Horse or have authority to sell any shares in the Horse.

1. Your conduct, as outlined in particulars 2 - 3, was an attempt to commit a breach of the Rules of Racing, specifically AR 229(1)(a), and accordingly in breach of AR 227(b).

 **Pleas:** Guilty to both Charges.

**DECISION**

1. Mr Luke Anderson is a licensed stablehand with Racing Victoria. He has been so licensed since the age of 17.
2. Mr Anderson is charged with two offences. The first is of engaging in dishonest, corrupt, fraudulent, improper or dishonourable action in connection with racing.
3. The second charge is of attempting to commit a breach of the Rules.
4. Mr Anderson has pleaded guilty to both of these charges.
5. Both charges arise out of his addiction to gambling. He is a young man and at the time of these events was aged in his early twenties. He had become a chronic gambler from the age of 18 and, at the time of this offending, was gambling most of his income on horse racing. He funded this addiction through loans from friends and family.
6. He had previously been able to conquer this addiction for a year or so, but at the time these offences occurred, he had again succumbed, and his conduct arose out of his need for money to fuel his gambling addiction.
7. At the time he was in a relationship with Ms Selena Margaritis. On 11 May 2024, Mr Anderson approached Selena’s mother, Ms Alison Margaritis, and offered to sell her a share in a horse from the stables in which he worked. The name of the horse was later registered as “Jirachi”, but at the time the horse was unnamed. He told Alison that he could sell her a 2.5% share in that horse for the sum of $2,500 and that she would get her money back within six to 12 months.
8. Ms Alison Margaritis agreed to buy the horse and paid over the money to him.
9. Mr Anderson had no right to sell any shares in that horse and was aware of this. He did not have any ownership rights over the horse and the share which he offered was non-existent. This is the subject matter of the first charge.
10. A week later, on 18 May 2024, he offered a further 2.5% share to Alison. He was aware that there was no share available to be sold and that he had no right to pretend to sell any horse shares at all.
11. Ms Alison Margaritis refused that offer.
12. The second charge is of Mr Anderson attempting to persuade Alison to enter into the sham transaction which we have just described in order to obtain further funds for gambling.
13. The fraudulent nature of these transactions was discovered after the relationship between Mr Anderson and Ms Selena Margaritis broke down. Mr Anderson repaid Alison in full when the relationship ceased, but did not disclose to her that the transaction had been fraudulent.
14. Mr Anderson is very apologetic for his actions. He has engaged in counselling in relation to his gambling addiction. So far, this counselling has been very effective. He has been able to pay back most of his gambling debts and is determined to pay back all of those who have lent him money.
15. We accept that he did not intend to keep the money paid by Alison and note that he paid her back before being charged with these offences. We have received a report from his counsellor which indicates that he is making good progress with his therapy. He has a sad family history and left home at the age of 15. Despite this, he has taken full responsibility for his actions. He has self-excluded from all betting and wagering accounts. He made full admissions and has been open and forthcoming with all his racing contacts about his addiction. The offences occurred within a very short time and at a time when he was desperate for money. He has no prior offences of any consequence. He has a commendable work ethic and has a bright future in training racehorses as long as he does not lapse into gambling again.
16. He has a very supportive employer who knows of his history, values him as an industrious worker and is prepared to do anything possible to assist him to restore his reputation in the racing industry.
17. The offences with which Mr Anderson has been charged are very serious. He took advantage of the trust placed in him to steal money from a person with limited knowledge of racing. He used his position as a licensed person to deceive a member of the public. Such conduct clearly undermines the image of racing in the eyes of the public and is to be deplored. There have been few cases of this nature to come before the Tribunal, but any such cases will usually attract very significant periods of disqualification, given that they involve what is essentially criminal offending.
18. However, in this case, because of the mitigatory factors outlined above, the Stewards have not called for a period of disqualification, but instead for a period of suspension, with that period being itself suspended. This is to afford Mr Anderson the opportunity to demonstrate that he has conquered his addiction and so that he can ultimately take his place as a valued and trusted member of the racing community.
19. Taking into account all the matters which we have heard, and particularly taking into account Mr Anderson’s youth and inexperience and the steps he has taken to defeat his gambling addiction and repay his creditors, we have decided to accept the Stewards’ penalty recommendations.
20. The penalties which we impose are as follows:
21. On Charge 1, which is the charge of engaging in a dishonest or corrupt act in connection with racing, we impose a suspension of 24 months, with 21 months of that penalty suspended for two years. The effective three month suspension commences on 6 August 2025.
22. On Charge 2, which is a charge of attempting to commit a breach of the Rules, the penalty which we impose is a suspension of 24 months, which is fully suspended.
23. We have told Mr Anderson that if he relapses into gambling and in so doing commits any further breaches of the Rules, he should not expect any further leniency from this Tribunal.

Mark Howard

Registrar, Victorian Racing Tribunal