

STEWARDS DECISION

OFFICE OF RACING INTEGRITY

and

LEIGH BARKER

Date of hearing:	20 th August, 2024
Stewards Panel:	Neil Finnigan (Chair), Brittany Hine, Carolyn Ellson and Paul Janes
Respondent:	Leigh BARKER
Rule:	Australian Harness Rules of Racing AHR Rule 231(2)
Charge:	Misconduct
Plea:	Guilty
Inquiry Decision:	\$1000 fine (wholly suspended for 24 months)

Following a report from Office of Racing Integrity Stipendiary Steward, Mr Michael Castillo, Stewards made inquiries and reviewed CCTV footage from the Launceston Pacing Club Meeting held on Sunday, 9th June 2024.

Stewards, after finalising their initial investigations, convened a hearing on Tuesday, 20th August 2024. Stewards called licensee, Mr Leigh Barker to answer questions regarding his behaviour on the evening. Also called as witnesses were fellow

licenceses Mr Ben Yole and Mr Blair Fidler, together with Stipendiary Steward, Mr Castillo.

After taking evidence from all parties, it was established that Mr Barker had pushed Mr Fidler and sworn at Mr Castillo. During the course of the inquiry, Mr Barker had clearly shown his remorse for his behaviour on the night of the 9th June 2024, further to this, witnesses confirmed that he had regretted his actions and apologised for such, soon after the incident had occurred.

Stewards, based on the evidence presented, which included the vision of the CCTV footage, and his acknowledgement of his poor behaviour, charged Mr Barker for the contravention of Australian Harness Racing (AHR) Rule 231(2), which reads:

A person shall not misconduct himself in any way.

Stewards on charging Mr Barker under the provisions of AHR Rule 231(2), alleged that, he had misconducted himself via the physical contact to Mr Fidler and the manner he spoke to Mr Castillo.

Mr Barker pled guilty to the charge.

In considering the matter of penalty, Stewards noted the following: Mr Barker's acknowledgement of his actions, his forthright evidence, his manner throughout the inquiry, his clear remorse and embarrassment of the situation, his repeated apologies to all, and the seriousness of the breach in totality. Stewards also took into consideration the knowledge that all penalties should be designed to not only be a fair punishment to the offender, but also a message to the industry as a whole.

Stewards in considering all mentioned above, including his guilty plea, fined Mr Barker \$1000, and further ordered the fine to be wholly suspended for a period of 24 months pending any further breach of misconduct during that time.

Decision Date: 20th August, 2024