

## TAMWORTH - HRNSW STEWARDS INQUIRY

NOVEMBER 16, 2023

**Harness Racing NSW Stewards have finalised an Inquiry into an incident in the race day stalls following the running of Race 6 at the Tamworth Harness Racing Club meeting on Thursday 2 November 2023.**

Evidence was taken from HRNSW Steward Daniel Westwood, licensed Trainer / Driver Tom Ison, licensed Trainer / Driver Darren Elder, licensed Trainer Andrew Ison, Licensed Trainer Brenden James, Licensed Stable hand Brian Elder (Jnr), Registered Owner Bryan Elder (Snr) and licensed drivers Blake Hughes, Grace Panella and Emma Ison.

After considering the evidence HRNSW Stewards issued three charges against Mr Tom Ison.

The first charge was issued pursuant to Australian Harness Racing Rule (AHRR) 231(2) which states:

231. (2) A person shall not misconduct himself in any way.

The particulars of the charge were that Mr Ison knowingly made comments about Mr Darren Elder via the public address during a post race interview that were inflammatory and insulting.

The second charge also relating to the abovementioned conduct was issued pursuant to AHRR 243 which reads:

243. A person employed, engaged or participating in the harness racing industry shall not behave in a way which is prejudicial or detrimental to the industry.

Mr Ison was further charged pursuant to AHRR 231(d) which states:

231. (1) A person shall not:-

(d) abuse anyone employed, engaged or participating in the harness racing industry or otherwise having a connection with it.

The particulars of the charge were that Mr Ison did direct abusive language towards Mr Darren Elder upon return to the race day stalls.

Mr Ison pleaded guilty to all three charges and the following penalties were imposed:

Charge 1 - \$5000 Fine

Charge 2 – No further penalty was issued given the commonality with Charge 1

Charge 3 – Six (6) Month Suspension which is to be wholly suspended on the condition that Mr Ison not breach any conduct related Rules in the next two (2) years

In considering penalty Stewards were mindful of the following;

- Mr Ison's guilty plea
- Mr Ison's licence history, offence record and involvement in the harness racing industry;
- The serious nature of the offences and the effect such conduct has on the image of harness racing

HRNSW Stewards also issued a charge against Mr Brian Elder (Jnr) pursuant to AHRR 231(e) which reads:

231. (1) A person shall not:-

(e) assault anyone employed, engaged or participating in the harness racing industry or otherwise having a connection with it.

The particulars of the charge were that Mr Elder had physically assaulted Mr Ison when he forcefully grabbed him in the upper torso area and vigorously attempted to remove him from the sulky upon his return to the race day stalls.

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HRNSW Integrity Department  
(02) 9722 6655**

Mr Elder pleaded guilty to the charge and was warned off for nine (9) months.

In considering penalty Stewards were mindful of the following;

- Mr Elder's guilty plea and genuine remorse for his role in the incident
- Mr Elder's previous licence history, offence record and involvement in the harness racing industry;
- The serious nature of the offences and the effect such conduct has on the image of harness racing

Further, HRNSW Stewards issued a charge against Mr Andrew Ison pursuant to AHRR 231(2) which reads:

231. (2) A person shall not misconduct himself in any way.

The particulars of the charge were that Mr Ison had misconducted himself by becoming involved in altercation with Mr Brian Elder and Mr Tom Ison, whereby he physically restrained Mr Elder and forced him to the ground.

Mr Ison pleaded guilty to the charge and his licence was suspended for three (3) months, which is to be wholly suspended on the condition that he does not breach any conduct related Rules for the next two (2) years.

In considering penalty Stewards were mindful of the following;

- Mr Ison's guilty plea
- Mr Ison's licence history, offence record and involvement in the harness racing industry;
- The serious nature of the offences and the effect such conduct has on the image of harness racing
- His actions where considered to display some level of self-defence

In addition, Stewards issued a charge against Mr Darren Elder pursuant to AHRR 231(e) which states:

231. (1) A person shall not:-

(e) assault anyone employed, engaged or participating in the harness racing industry or otherwise having a connection with it.

The particulars of the charge were that Mr Elder had physically assaulted Mr Tom Ison in the race day stalls when he forcefully pushed Mr Ison in the back, resulted in Mr Ison being propelled from the sulky seat towards the rear of the horse.

Mr Elder was found guilty of the charge and he was suspended for a period of four (4) months of which three (3) months is to be wholly suspended on the condition that he does not breach any conduct related Rules for the next two (2) years.

In considering penalty Stewards were mindful of the following;

- Mr Elder's guilty plea
- Mr Elder's licence history, offence record and involvement in the harness racing industry;
- The serious nature of the offences and the effect such conduct has on the image of harness racing

All four persons were advised of their rights of Appeal.

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