



HEARING TO DETERMINE THE MATTER OF PENALTY IN RESPECT OF CHARGES OF IMPROPER CONDUCT FOUND AGAINST PROFESSIONAL PUNTER/INDUSTRY PARTICIPANT MR NATHAN SNOW.

Racing NSW Offices

**Stewards: S G Railton (Chairman)
J R Johnstone**

Racing NSW Stewards, on 24 August 2023, conducted a hearing to determine the matter of penalty in respect of charges of improper conduct issued against professional punter/racing participant Mr Nathan Snow and of which he had been found guilty on 18 August 2023.

Background

On 13 October 2022, Racing NSW Stewards issued 10 charges against professional punter/industry participant Mr Nathan Snow under AR228(b) of having engaged in misconduct and/or improper conduct and/or unseemly behaviour in respect of his betting activities between January 2017 and January 2019. This followed an extensive investigation into Mr Snow's betting activities by Racing NSW Officials. The investigation focused on Mr Snow's betting activity and whether confidential inside information was used to place bets. The investigation also examined Mr Snow's dealings with certain other parties, primarily with his wife, Mrs Sally Snow. At all relevant times, Mrs Sally Snow held the role of Senior Trading Manager – Thoroughbred Trading Fixed Odds Betting with Tabcorp.

On 26 May 2023, Racing NSW Stewards conducted a hearing to determine the charges issued against Mr Snow. At the hearing, Mr Snow was assisted by Mr Paul O'Sullivan, Solicitor. After taking evidence from Mr Snow, the inquiry was adjourned to allow Stewards to consider all the evidence and to establish further facts that Stewards considered necessary.

On 18 August 2023, Racing NSW Stewards considered all the available evidence. Mr Snow was found guilty in respect of charges 1-7 and not guilty in respect of charges 8-10. The primary reason that he was found not guilty in respect of these charges was that there was not, in fact, a restriction on him placing bets with Tabcorp arising from Mrs Snow's employment with Tabcorp (even though his initial evidence was that he thought there was such a restriction).

The charges issued against Mr Snow were as follows:

Charge 1

Mr Snow was charged with engaging in misconduct and/or improper conduct and/or unseemly behaviour under AR228(b).

The details of the charge being that he did engage in misconduct and/or improper conduct and/or unseemly behaviour by reason of one of, or any combination of two or more of the following:

1. At all relevant times, he attended NSW racecourses, placed bets on NSW thoroughbred racing and by that conduct, both separately and collectively, was bound by, and required to comply with, the Rules of Racing;
2. At all relevant times, his wife Mrs Sally Snow, was the Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp;
3. In her role as Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp, Mrs Snow regularly received confidential inside information including, but not limited to:
 - a. Betting trends on bets placed with Tabcorp, including turnover on individual horses;
 - b. Details of bets placed with Tabcorp by professional and successful punters;
 - c. Early details of horses likely to firm or drift in betting markets, utilising information received by bets being placed in quadrella betting, a bet type where punters attempt to select the winner of four consecutive races.
4. On 8 December 2018, he received confidential inside information in the form of messages from Mrs Snow, such messages providing him with confidential inside information in respect of Lisdoonvarna which was accepted to race in Race 9 – Australian Turf Club Handicap 1300m scheduled to be conducted at 18:15 on 8 December 2018 at Rosehill Gardens on that day;
5. He layed Lisdoonvarna using his Betfair account;
6. He took the steps identified in paragraph 5 above based upon information received from Mrs Snow and/or in the knowledge that Lisdoonvarna would likely start at higher odds in the betting market;
7. He backed Lisdoonvarna using his Betfair account when it drifted out to higher odds;
8. Such conduct and/or behaviour detailed above, resulted in him improperly obtaining and using confidential inside information received by Mrs Snow in her position as the Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp in an attempt by him to gain a financial benefit.

Plea: Not guilty
Finding: Guilty – improper conduct

Charge 2

Mr Snow was charged charged with engaging in misconduct and/or improper conduct and/or unseemly behaviour under AR228(b).

The details of the charge being that he did engage in misconduct and/or improper conduct and/or unseemly behaviour by reason of one of, or any combination of two or more of the following:

1. At all relevant times, he attended NSW racecourses, placed bets on NSW thoroughbred racing and by that conduct, both separately and collectively, was bound by, and required to comply with, the Rules of Racing;
2. At all relevant times, his wife Mrs Sally Snow, was the Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp;
3. In her role as Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp, Mrs Snow regularly received confidential inside information including, but not limited to:
 - a. Betting trends on bets placed with Tabcorp, including turnover on individual horses;
 - b. Details of bets placed with Tabcorp by professional and successful punters;
 - c. Early details of horses likely to firm or drift in betting markets, utilising information received by bets being placed in quadrella betting, a bet type where punters attempt to select the winner of four consecutive races.
4. On 8 December 2018 he received confidential inside information in the form of messages from Mrs Snow, such messages providing him with confidential inside information in respect of Moet Rose which was accepted to race in Race 9 – Australian Turf Club Handicap 1300m scheduled to be conducted at 18:15 on 8 December 2018 at Rosehill Gardens racecourse on that day;
5. He backed Moet Rose using his Betfair account and/or using his Bet 365 account;
6. He took the steps identified in paragraph 5 above based upon information received from Mrs Snow and/or in the knowledge that Moet Rose would likely start at shorter odds in the betting market;
7. He layed Moet Rose using his Betfair account when it firmed into shorter odds;
8. Such conduct and/or behaviour detailed above, resulted in his improperly obtaining and using confidential inside information received by Mrs Snow in her position as the Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp in an attempt to gain a financial benefit.

Plea: Not guilty
Finding: Guilty – improper conduct

Charge 3

Mr Snow was charged with engaging in misconduct and/or improper conduct and/or unseemly behaviour under AR228(b).

The details of the charge being that he did engage in misconduct and/or improper conduct and/or unseemly behaviour by reason of one of, or any combination of two or more of the following:

1. At all relevant times, he attended NSW racecourses, placed bets on NSW thoroughbred racing and by that conduct, both separately and collectively, was bound by, and required to comply with, the Rules of Racing;
2. At all relevant times, his wife Mrs Sally Snow, was the Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp;

3. In her role as Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp, Mrs Snow regularly received confidential inside information including, but not limited to:
 - a. Betting trends on bets placed with Tabcorp, including turnover on individual horses;
 - b. Details of bets placed with Tabcorp by professional and successful punters;
 - c. Early details of horses likely to firm or drift in betting markets, utilising information received by bets being placed in quadrella betting, a bet type where punters attempt to select the winner of four consecutive races.
4. On 8 December 2018 he received confidential inside information in the form of messages from Mrs Snow, such messages providing him with confidential inside information in respect of:
 - a. *Coruscate* which was accepted to race in Race 7 – Merry Christmas ATC Members Sprint 1100m scheduled to be conducted at 17:00; and
 - b. *Turnberry, Asterius and Reflectivity* which were accepted to race in Race 8 – Christmas at the Gardens Handicap scheduled to be conducted at 17:40 on 8 December 2018 at Rosehill Gardens racecourse on that day.

Coruscate

5. He backed *Coruscate* using his Bet 365 account.
6. He took this step based upon information received from Mrs Snow and/or in the knowledge that *Coruscate* would likely start at shorter odds in the betting market;
7. He layed *Coruscate* using his Betfair account when it firmed into shorter odds;

Asterius

8. He backed *Asterius* using his Beteasy account and/or using his Betfair account;
9. He took this step based upon information received from Mrs Snow and/or in the knowledge that *Asterius* would likely start at shorter odds in the betting market;
10. He layed *Asterius* using his Betfair account when it firmed into shorter odds;

Turnberry

11. He backed *Turnberry* using an unknown account;
12. He took this step based upon information received from Mrs Snow and/or in the knowledge that *Turnberry* would likely start at shorter odds in the betting market;
13. He layed *Turnberry* using his Betfair account when it firmed into shorter odds;

Reflectivity

14. He backed *Reflectivity* using his Betfair account.
15. He took this step based upon information received from Mrs Snow and/or in the knowledge that *Reflectivity* would likely start at shorter odds in the betting market;
16. He layed *Reflectivity* using his Betfair account when it firmed into shorter odds;
17. Such conduct and/or behaviour detailed above in paragraphs 4 to 16, when considered cumulatively or individually, resulted in improperly obtaining and using confidential inside information received by Mrs Snow in her position as the Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp in an attempt by him to gain a financial benefit.

Plea: Not guilty
Finding: Guilty – Improper conduct

Charge 4

Mr Snow was charged with engaging in misconduct and/or improper conduct and/or unseemly behaviour under AR228(b).

The details of the charge being that he did engage in misconduct and/or improper conduct and/or unseemly behaviour by reason of one of, or any combination of two or more of the following:

1. At all relevant times, he attended NSW racecourses, placed bets on NSW thoroughbred racing and by that conduct, both separately and collectively, was bound by, and required to comply with, the Rules of Racing;
2. At all relevant times, his wife Mrs Sally Snow, was the Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp;
3. In her role as Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp, Mrs Snow regularly received confidential inside information including, but not limited to:
 - a. Betting trends on bets placed with Tabcorp, including turnover on individual horses;
 - b. Details of bets placed with Tabcorp by professional and successful punters;
 - c. Early details of horses likely to firm or drift in betting markets, utilising information received by bets being placed in quadrella betting, a bet type where punters attempt to select the winner of four consecutive races.
4. On 22 December 2018 he received confidential inside information in the form of messages from Mrs Snow, such messages providing him with confidential inside information in respect of Redouble at 16:35 on 22 December 2018, which was accepted to race in Race 9 – Australian Turf Club Handicap 1200m scheduled to be conducted at 18:15 at the Warwick Farm racecourse on that day.
5. He backed Redouble using his Ladbrokes account;
6. He took this step based upon information received from Mrs Snow;
7. Such conduct and/or behaviour detailed above, resulted in him improperly obtaining and using confidential inside information received by Mrs Snow in her position as the Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp in an attempt by him to gain a financial benefit.

Plea: Not guilty
Finding: Guilty – Improper conduct

Charge 5

Mr Snow was charged with engaging in misconduct and/or improper conduct and/or unseemly behaviour under AR228(b).

The details of the charge being that he did engage in misconduct and/or improper conduct and/or unseemly behaviour by reason of one of, or any combination of two or more of the following:

1. At all relevant times, he attended NSW racecourses, placed bets on NSW thoroughbred racing and by that conduct, both separately and collectively, was bound by, and required to comply with, the Rules of Racing;
2. At all relevant times, his wife Mrs Sally Snow, was the Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp;
3. In her role as Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp, Mrs Snow regularly received confidential inside information including, but not limited to:
 - a. Betting trends on bets placed with Tabcorp, including turnover on individual horses;
 - b. Details of bets placed with Tabcorp by professional and successful punters;
 - c. Early details of horses likely to firm or drift in betting markets, utilising information received by bets being placed in quadrella betting, a bet type where punters attempt to select the winner of four consecutive races.
4. On 22 December 2018 he received confidential inside information in the form of messages from Mrs Snow, such messages providing him with confidential inside information in respect of Verlan at 16:52 on 22 December 2018, which was accepted to race in Race 7 – Newcastle Racecourse App Benchmark 64 Handicap 1200m at the Newcastle racecourse on that day.
5. He backed Verlan using his Beteasy account;
6. He took this step based upon information received from Mrs Snow;
7. Such conduct and/or behaviour detailed above, resulted in him improperly obtaining and using confidential inside information received by Mrs Snow in her position as the Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp in an attempt by him to gain a financial benefit.

Plea: Not guilty
Finding: Guilty – Improper conduct

Charge 6

Mr Snow was charged with engaging in misconduct and/or improper conduct and/or unseemly behaviour under AR228(b).

The details of the charge being that he did engage in misconduct and/or improper conduct and/or unseemly behaviour by reason of one of, or any combination of two or more of the following:

1. At all relevant times, he attended NSW racecourses, placed bets on NSW thoroughbred racing and by that conduct, both separately and collectively, was bound by, and required to comply with, the Rules of Racing;
2. At all relevant times, his wife Mrs Sally Snow, was the Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp;

3. In her role as Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp, Mrs Snow regularly received confidential inside information including, but not limited to:
 - a. Betting trends on bets placed with Tabcorp, including turnover on individual horses;
 - b. Details of bets placed with Tabcorp by professional and successful punters;
 - c. Early details of horses likely to firm or drift in betting markets, utilising information received by bets being placed in quadrella betting, a bet type where punters attempt to select the winner of four consecutive races.
4. Between the period 20 January 2018 and 28 January 2019, he improperly requested and/or received confidential inside information from Mrs Snow in an attempt to assist him in his betting activities;
5. He engaged in improper conduct as detailed above by obtaining and using (as detailed in charges 1 to 5, when the allegations in those charges are considered individually or cumulatively) confidential inside information received by Mrs Snow in her position as the Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp in an attempt to gain a financial benefit.

Plea: Not guilty
Finding: Guilty – Improper conduct

Charge 7

Mr Snow was charged with engaging in misconduct and/or improper conduct and/or unseemly behaviour under AR228(b).

The details of the charge being that he did engage in misconduct and/or improper conduct and/or unseemly behaviour by reason of one of, or any combination of two or more of the following:

1. At all relevant times, he attended NSW racecourses, placed bets on NSW thoroughbred racing and by that conduct, both separately and collectively, was bound by, and required to comply with, the Rules of Racing;
2. At all relevant times, his wife Mrs Sally Snow, was the Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp;
3. In her role as Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp, Mrs Snow regularly received confidential inside information including, but not limited to:
 - a. Betting trends on bets placed with Tabcorp, including turnover on individual horses;
 - b. Details of bets placed with Tabcorp by professional and successful punters;
 - c. Early details of horses likely to firm or drift in betting markets, utilising information received by bets being placed in quadrella betting, a bet type where punters attempt to select the winner of four consecutive races.
4. Due to the confidential inside information that Mrs Snow received in her role with Tabcorp, it was a condition of Mrs Snow's employment (of which he was aware) that neither she nor he were permitted to place fixed odds bets with Tabcorp;

5. On 6 October 2018, he caused a bet to be placed of \$200 win and \$800 place (favourite out) on Ventura Storm in Race 5 -Turnbull Stakes run at Flemington on 6 October 2018, of which 50% (\$100 win and \$400 place) was on behalf of Mrs Sally Snow, using the TAB account of another person;
6. He caused this bet to be placed in the knowledge that both he and Mrs Snow were not permitted to place fixed odds bets with Tabcorp due to Mrs Snow's employment with Tabcorp.

Plea: Not guilty

Finding: Guilty – Improper conduct

Charge 8

Mr Snow was charged with engaging in misconduct and/or improper conduct and/or unseemly behaviour under AR228(b).

The details of the charge being that he did engage in misconduct and/or improper conduct and/or unseemly behaviour by reason of one of, or any combination of two or more of the following:

1. At all relevant times, he attended NSW racecourses, placed bets on NSW thoroughbred racing and by that conduct, both separately and collectively, was bound by, and required to comply with, the Rules of Racing;
2. At all relevant times, his wife Mrs Sally Snow, was the Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp;
3. In her role as Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp, Mrs Snow regularly received confidential inside information including, but not limited to:
 - a. Betting trends on bets placed with Tabcorp, including turnover on individual horses;
 - b. Details of bets placed with Tabcorp by professional and successful punters;
 - c. Early details of horses likely to firm or drift in betting markets, utilising information received by bets being placed in quadrella betting, a bet type where punters attempt to select the winner of four consecutive races.
4. Due to the confidential inside information that Mrs Snow received in her role with Tabcorp, it was a condition of Mrs Snow's employment (of which he was aware) that neither she nor he were permitted to place fixed odds bets with Tabcorp;
5. Between 31 January 2017 and 12 February 2019, he caused fixed odds bets to be placed using the Tabcorp account of another person;
6. He caused these fixed odds bets to be placed in the knowledge that he was not permitted to place fixed odds bets or have an interest in fixed odds bets with Tabcorp due to Mrs Snow's employment with Tabcorp.

Plea: Not guilty

Finding: Not guilty

Charge 9

Mr Snow was charged with engaging in misconduct and/or improper conduct and/or unseemly behaviour under AR228(b).

The details of the charge being that he did engage in misconduct and/or improper conduct and/or unseemly behaviour by reason of one of, or any combination of two or more of the following:

1. At all relevant times, he attended NSW racecourses, placed bets on NSW thoroughbred racing and by that conduct, both separately and collectively, was bound by, and required to comply with, the Rules of Racing;
2. At all relevant times, his wife Mrs Sally Snow, was the Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp;
3. In her role as Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp, Mrs Snow regularly received confidential inside information including, but not limited to:
 - a. Betting trends on bets placed with Tabcorp, including turnover on individual horses;
 - b. Details of bets placed with Tabcorp by professional and successful punters;
 - c. Early details of horses likely to firm or drift in betting markets, utilising information received by bets being placed in quadrella betting, a bet type where punters attempt to select the winner of four consecutive races.
4. Due to the confidential inside information that Mrs Snow received in her role with Tabcorp, it was a condition of Mrs Snow's employment (of which he was aware) that neither she nor he were permitted to place fixed odds bets with Tabcorp.
5. Between 17 November 2018 and 12 January 2019, he caused fixed odds bets to be placed and/or had an interest in fixed odds bets that were placed utilizing certain Tabcorp accounts;.
6. He caused these fixed odds bets to be placed the knowledge that he was not permitted to place fixed odds bets or have an interest in fixed odds bets with Tabcorp due to Mrs Snow's employment with Tabcorp.

Plea: Not guilty

Finding: Not guilty

Charge 10

Mr Snow was charged with engaging in misconduct and/or improper conduct and/or unseemly behaviour under AR228(b).

The details of the charge being that he did engage in misconduct and/or improper conduct and/or unseemly behaviour by reason of one of, or any combination of two or more of the following:

1. At all relevant times, he attended NSW racecourses, placed bets on NSW thoroughbred racing and by that conduct, both separately and collectively, was bound by, and required to comply with, the Rules of Racing;
2. At all relevant times, his wife Mrs Sally Snow, was the Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp;
3. In her role as Senior Trading Manager - Thoroughbred Trading Fixed Odds Betting with Tabcorp, Mrs Snow regularly received confidential inside information including, but not limited to:
 - a. Betting trends on bets placed with Tabcorp, including turnover on individual horses;
 - b. Details of bets placed with Tabcorp by professional and successful punters;
 - c. Early details of horses likely to firm or drift in betting markets, utilising information received by bets being placed in quadrella betting, a bet type where punters attempt to select the winner of four consecutive races.
4. Due to the confidential inside information that Mrs Snow received in her role with Tabcorp, it was a condition of Mrs Snow's employment (of which he was aware) that neither she nor he were permitted to place fixed odds bets with Tabcorp;
5. During Mrs Snow's employment with Tabcorp and prior to 6 January 2019 he caused another person to place fixed odds bets with Tabcorp on thoroughbred racing on his behalf;
6. He caused these fixed odds bets to be placed the knowledge that he was not permitted to place fixed odds bets or have an interest in fixed odds bets with Tabcorp due to Mrs Snow's employment with Tabcorp.

Plea: Not guilty

Finding: Not guilty

Penalty

Penalty Considerations

At the hearing, Mr Snow was again assisted by Mr Paul O'Sullivan, Solicitor. Stewards heard penalty submissions from both Mr Snow and Mr O'Sullivan on behalf of Mr Snow. In those submissions, it was submitted that:

- a. The period of time between the investigation commencing and charges issued was approximately 4 years.
- b. The relatively minor nature of the charges.
- c. The unusual nature of the charges with no precedent in racing available to the Stewards.
- d. The objective seriousness of the offending was at the lower end of the scale, having regard to the potential financial benefit being approximately \$1300.
- e. Mr Snow places a minimum of 3,000 bets per year on NSW thoroughbred races.
- f. Mr Snow's disciplinary record in the industry when performing the role as a licensed Bookmaker and subsequently.
- g. Mr Snow's personal and professional circumstances.

Stewards also considered several personal references tendered by Mr Snow.

Stewards Considerations

Having considered the submissions made by Mr Snow and Mr O'Sullivan on behalf of Mr Snow, Stewards also considered:

- a. Not guilty pleas entered to all charges.
- b. Mr Snow's personal and professional circumstances
- c. Principle of specific and general deterrence and what message is sent to the industry in respect to such conduct.
- d. Purpose of issuing penalties as a protective measure for the image and interests of the racing industry.
- e. The dates of the offending conduct of which he was found guilty related to three specific race meetings on 6 October 2018, 8 December 2018 and 22 December 2018.

Stewards Determination

Charge 1: \$4,000 fine

Charge 2: \$4,000 fine (\$2,000 fine partially concurrent with charge 1)

Charge 3: \$4,000 fine (\$2,000 fine partially concurrent with charges 1 and 2)

Charge 4: \$4,000 fine

Charge 5: \$4,000 fine (\$2,000 fine partially concurrent with charge 4)

Charge 6: \$4,000 fine (\$4,000 to be served wholly concurrent with charges 1-5)

Charge 7: \$4,000 fine (\$4,000 to be served cumulatively with charges 1-6)

Having regard to the principle of totality, Stewards ruled the total fine imposed upon Mr Snow was \$18,000.

Relevant Rule

AR 228 Conduct detrimental to the interests of racing

A person must not engage in:

(b) misconduct, improper conduct or unseemly behaviour.

**S G RAILTON
CHAIRMAN OF STEWARDS**