

Additional Stewards Report



Stewards: - J. Petzer (Acting Chairman), M. Santoro, P. Ryan and E. Scott

Tuesday, 06 December 2022

Ronnie Bell

Stewards concluded an inquiry into the circumstances relating to material, including certain comment, posted on Facebook by licensed stable employee/trackwork rider Mr Ronnie Bell on Monday 05 December 2022. The material and comment related to Jockey Sairyn Fawke.

Evidence was taken from Ronnie Bell and Sairyn Fawke.

After considering the evidence Ronnie Bell was charged under **AR 228(d)**, which states;

“A person must not engage in publishing or posting on any social media platform or channel any material, content or comment that is obscene, offensive, defamatory, racist, threatening, harassing, discriminatory or abusive to or about any other person involved in the racing industry”.

Particulars of the Charge:

“That on 5 December 2022 Ronnie Bell posted material and comment on his Facebook page in respect of licensed Jockey Sairyn Fawke, which is offensive in nature and has a racial connotation”

Plea: Ronnie Bell reserved his plea and consequently Stewards entered a plea of not guilty on his behalf.

Finding: In determining guilt or otherwise, Stewards noted the following;

1. The post was made by Ronnie Bell while in the presence of Sairyn Fawke.
2. Sairyn Fawke did not appear to be offended by the post.
3. Ronnie Bell submitted that he had no intention to be offensive towards Sairyn Fawke.
4. Ronnie Bell submitted that he had no intention for the post to be read as him racially vilifying another person.

However, notwithstanding the above, Stewards took the view that;

1. The post was, objectively viewed, offensive in nature.
2. The post had, objectively viewed, a racial connotation.
3. Any material/comment which can be objectively interpreted as having racial connotations is unacceptable and will not be condoned, regardless of the intent of the person making the comment or publishing the material.
4. The test is not whether the person in respect of whom the material is posted or the comment is made is offended or not, and consequently;

Stewards found Ronnie Bell **guilty of the charge**.

Determination of Penalty:

In determining penalty Stewards had regard for Ronnie Bell's record in regard to breaches of rules relating to conduct, and noted that he had a number of prior offences, and in particular noted that the most recent matter, from November 2021, had a penalty of \$1000 imposed, of which \$500 was suspended for a period of 24 months provided he did not breach a conduct related rule in that period.

Having regard for the timing of the offence in the current matter, Stewards advised Ronnie Bell that the suspended portion of \$500 relating to the November 2021 matter is now due and payable.

Stewards also took into account the seriousness of the offence in the current matter, noting again that material and/or comment of this nature is unacceptable, and there is no place for any such comment and/or material in the industry.

Stewards further considered Ronnie Bell's forthrightness and his personal circumstances, and noted he derives his income solely from employment in the racing industry.

In all the circumstances Stewards imposed the following penalty;

Penalty:

A **disqualification of a period of six (6) weeks**, reduced from twelve (12) weeks, after having regard for Ronnie Bell's personal circumstances. Stewards ordered that the disqualification commence at midnight **Tuesday 06 December 2022 and expire at midnight Tuesday 17 January 2023**.

Ronnie Bell was also advised, having regard for the fact that when a person is disqualified his/her license ceases and determines, that if he wished to be licensed in the industry after the period of his disqualification, he would need to re-apply for a license and that any consideration of a license application on his part would have to include proof that he has completed a recognised course which addresses matters relating to racial vilification.

Ronnie Bell was informed of his right of appeal.

J Petzer
General Manager Integrity

Racing SA has a zero tolerance to racial vilification and any conduct of this type has no place in our industry and will not be accepted under any circumstances.