APPEAL PANEL OF RACING NEW SOUTH WALES

IN THE MATTERS OF THE APPEAL OF
LICENSED TRACKWORK RIDER RICK BELL

Appeal Panel:	**Mr L Gyles SC – Principal Member;**
	Mr J Murphy; Mr C Tuck
Representatives:	**Racing NSW – Mr Moxon**
	Appellant - Self
Date of Decision:	**22 June 2026**

REASONS FOR DECISION

L GYLES SC: Principal Member

On 29 May 2026 the Appellant, a trackwork rider, was stood down by the Stewards after a urine sample he had provided after riding one morning was found to have contained a prohibited substance under AR139(1). The substance in question was a metabolite of cannabis.

On 4 June 2026 the Stewards conducted an enquiry into the matter and evidence was taken from the Appellant, trainer Tom Charlton and ARFL General Manager John Keledjian. At the conclusion of the enquiry the Stewards issued a charge against the Appellant under AR139(1)(a) on the basis that the Appellant had provided a urine sample which was found upon analysis to contain a banned substance greater than the cut off.

The Appellant pleaded guilty to the charge and the Stewards imposed a suspension of two months, to commence on 29 May 2026 and to expire on 29 July 2026. The period of the suspension was calculated by the Stewards on the basis that an initial period of three months was reduced by one third to have regard to the guilty plea, the contrition shown by the Appellant and his personal and professional circumstances, to arrive at a final figure of 2 months.

On 8 June 2026 the Appellant lodged a Notice of Appeal from the sanction imposed by the Stewards, alleging that it was excessive. He also sought a stay of the suspension pending the determination of the Appeal. The Principal Member refused the stay application on the basis that the Appellant would be given an expedited hearing of the Appeal, to take place on 19 June 2026.

The Appeal was heard by the Panel on 19 June 2026 at the offices of Racing NSW. Mr Moxon appeared for the Stewards and Mr Bell appeared for himself.

In a document filed with the Notice of Appeal, the Appellant contends that the penalty imposed was manifestly excessive having regard to his exceptional personal, medical and family circumstances. He points to the fact that he has had a racing license for approximately 15 years without a single disciplinary matter of any kind and submits that there are extraneous reasons why he had taken cannabis on this occasion which makes it a typical of his character and conduct generally.

These factors are as follows:

(a) In March 2026 he suffered a significant and unexplained illness, losing approximately 8.5 kg and experiencing severe vomiting, nausea, diarrhoea, extreme fatigue, appetite loss and sleep disruption. He presented to the Hawkesbury District Hospital Emergency Department on 14 March 2026 as a result;

(b) The Appellant submits that this illness severely impacted his mental health, simultaneously trying to manage his employment as a jockey, a second job, university studies, mortgage repayments and significant family obligations. He was diagnosed by his GP with depression and was provided medication for that;

(c) He contends that the medication did not relieve his symptoms and he began using cannabis edibles to assist with appetite stimulation, nausea management and sleep restoration;

(d) He says the use of the cannabis was not connected to racing performance or an attempt to gain any advantage and was not consumed before, during work or while riding or treating any horse;

(e) He is the primary income earner for his wife and two children and has a mortgage and significant household financial obligations and an eight week

suspension represents a substantial loss of income and creates a serious hardship for his family.

The Appellant ultimately sought a reduction of 2 weeks from the 2 month suspension imposed by the Stewards. This would permit him to ride from 15 July 2026 rather than 29 July 2026.

Mr Moxon submitted that the penalty imposed by the Stewards was both reasonable and consistent with precedent decisions in relation to breaches arising from Cannabis being detected in samples taken from Jockeys. He handed up a list of 14 such breaches since the middle of 2023. If one takes out the few which were higher than normal for specific reasons, the tariff for such breaches is generally a 4 month period reduced to 3 for a guilty plea.

Mr Moxon submitted that the 2 month suspension imposed by the Stewards in this case was therefore lenient in relative terms and did bring to account the mitigating factors which the Appellant relied on. He submitted that the Appeal should be dismissed.

We shall not repeat the Appellant's detailed submissions which were in substance the same put before the Stewards and referred to above, except to emphasise that he contended that the breach came about through desperation on his part in seeking to deal with the pain associated with his Colitis, weight loss and gut problems, and was a decision which was not typical of his character, and which he regretted. He said that he had recently embarked on a mental health plan to deal with some childhood trauma. The Appellant ultimately submitted that a 6 week penalty would be proportionate to his level of culpability,

For the record, and although apparently not known to the Appellant, we note that there is free confidential psychiatric counselling available through Racing NSW to all industry participants and we encourage any persons having such issues to use that service.

The Panel has come to the view that the penalty imposed by the Stewards was reasonable and justified in the circumstances, and that fair consideration was given by them to the mitigating factors relied upon by the Appellant. Matters which were considered important by the Panel were the obvious safety risks associated with an impaired jockey riding a horse, not only to the impaired jockey, but to other jockeys and horses in the race or trial. The consequence could be catastrophic. Second, the fact that the Cannabis was not prescribed by a GP but was obtained by the Appellant from his

neighbour, as a result of an alleged self-diagnosis. The Panel also notes that that there is a mechanism for a person to seek a banned substance exemption for medical purposes (AR142), which the Appellant did not avail himself of.

105 The Stewards also confirmed that if the Appellant provided a urine sample free of any substance banned by AR136(1) that he could resume stable duties. If so, this would alleviate at least some of the financial impact of the suspension, and remains a course fully open to the Appellant.

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The following Orders are made:

1. The Appeal is dismissed.
2. The Appeal Deposit to be retained.

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22 June 2026