15 June 2021

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**RICKY RYAN**

**Date of hearing:** 6 May 2021

**Panel:** Magistrate John Doherty (Deputy Chairperson).

**Appearances:** Mr Adrian Crowther appeared on behalf of the Stewards.

Mr Lance Justice appeared on behalf of Mr Ryan.

**Charges and Particulars:**

**Charge No. 1.**

Australian Harness Racing Rule (AHRR) 231(1)(a) states:

*A person shall not: -*

1. *Threaten*

*…anyone employed, engaged or participating in the harness racing industry or otherwise having a connection with it.*

**The particulars of the charge being:**

You, being a person bound by the Australian Harness Racing Rules, did threaten an employee in the harness racing industry in that:

1. On 14 March 2021, you attended the Charlton harness racing meeting;
2. Following the running of Race 4, you entered the Stewards’ Room;
3. Whilst in the Stewards’ Room, you threatened HRV Steward Mr John Packer, in that you directed the following comment to him:

*But I’ll tell you I’ll find where you live and then you’ll fucking see what happens.*

**Charge No. 2.**

(AHRR) 247 states:

*A person attending before the Controlling Body its members or employees, the Stewards, officials, or at any proceeding under these rules, shall not speak or behave in a malicious, intimidatory or otherwise improper manner*

**The particulars of the charge being:**

You, being a person bound by the Australian Harness Racing Rules, did attend before the Stewards and spoke or behaved in a malicious, intimidatory or otherwise improper manner, in that:

1. On 14 March 2021, you attended the Charlton harness racing meeting;
2. Following the running of Race 4, you entered the Stewards’ room;
3. Whilst attending before the Stewards, you adopted a disrespectful and aggressive tone and made the following comments before HRV Stewards Mr Adrian Crowther, Mr Stephen Coombes and Mr John Packer:
4. *So like I mean if you can terrorize me that’s fair enough you can terrorize me as much as you like because I don’t forget but don’t terrorize someone that hasn’t done nothing wrong.*
5. *Well you can’t tell me what to do. My parents couldn’t tell me what to do. Don’t think you’re going to. But to terrorize a fucking kid that’s trying to get in the game sir.*
6. *You know I’m not going to have anyone stand up to me and tell me I can’t do something. I don’t care who you are. Whether you’re a copper or not I don’t care. I’ve been to jail.*
7. By making the comments and behaving in the manner identified above, you spoke or behaved in a malicious, intimidatory or otherwise improper manner.

 **Plea:** Guilty

**DECISION**

Mr Ricky Ryan has pleaded guilty to two charges issued by the HRV Stewards.

Charge 1 – Alleges a breach of Rule AHRR 231(1)(a). The particulars of the charge are that, on 14 March 2021 at the Charlton Harness Racing meeting and following the running of race 4, Mr Ryan entered the Stewards room and threatened Mr John Packer by saying to him “*But I’ll tell you I’ll find where you live and then you’ll fucking see what happens*”.

Charge 2 – Alleges a breach of Rule AHRR 247. The particulars of this charge are that, whilst in the Stewards’ room as particularised in Charge 1 and attending before the Stewards, Mr Ryan adopted a disrespectful and aggressive tone and made the following comments:

1. *So like I mean if you can terrorize me that’s fair enough you can terrorize me as much as you like because I don’t forget but don’t terrorize someone that hasn’t done nothing wrong.*
2. *Well you can’t tell me what to do. My parents couldn’t tell me what to do. Don’t think you’re going to. But to terrorize a fucking kid that’s trying to get in the game sir.*
3. *You know I’m not going to have anyone stand up to me and tell me I can’t do something. I don’t care who you are. Whether you’re a copper or not I don’t care. I’ve been to jail.*

These comments in paragraphs (a), (b) and (c) are transcribed from an audio, which is part of the Stewards brief. It recorded those comments made by Mr Ryan in the Stewards room at the Charlton Harness Racing Meeting on 14 March 2021. This apparently occurred after Stewards queried licenced stablehand Brandon Jeffrey’s authority to bring a horse to the meeting as the person in charge of the horse. The horse’s trainer was Robert King, although Mr Jeffrey at the time worked for Mr Ryan.

Clearly, Mr Ryan’s comments to the Stewards were threatening, intimidating and improper. It is difficult to comprehend why Mr Ryan was so upset with the Stewards. They were satisfied about Mr Jeffrey’s authority to be responsible for the horse on race day – that should have been the end of the matter. By his conduct, Mr Ryan has struck at the very integrity of the office of Stewards, which requires protection, as well as the individuals themselves. Mr Ryan language and attitude was reprehensible.

Mr Ryan has pleaded guilty today and that will be taken into account on penalty. It is clear that he has invested substantially in the harness racing industry, but his offence record does him no credit. If he is to continue in the industry, he must control his temper. He is receiving medical assistance to help with that part of his life and has a self-imposed ban on attending race meetings. One can only hope his health also improves and his spate of escalating Rule breaches ceases. Stewards have tendered recent decisions of this Tribunal on penalty as well as the decisions in Gallagher and Pizzuto.

In respect of the breach 231(1)(a), this is the more serious charge. In my view, a period of disqualification is appropriate and reflects the Tribunal’s concern about Mr Ryan’s threats to Mr Packer. That period of disqualification is 9 months. The disqualification shall commence immediately.

On the second charge, the Tribunal imposes a fine of $1,000 with $500 of that amount suspended for 9 months pending no further breaches.

Mark Howard
Registrar, Victorian Racing Tribunal