

DECISION

Of

Queensland Racing Integrity Commission Stewards

Regarding

Mr Noel Callow

Delivered on:	22 August 2025
Date of hearing:	1 August 2025
Panel:	Mr Joshua Adams (Chairperson), Mr Paul Zimmermann, Mr Brad Tamer.
Appearances:	Mr Matthew Sterling, Counsel assisting Mr Noel Callow.
Charge 1:	<p>Australian Rule of Racing ("AR") 228(a) states:</p> <p>Conduct detrimental to the interests of racing</p> <p>A person must not engage in:</p> <p>(a) conduct prejudicial to the image, interests, integrity, or welfare of racing, whether or not that conduct takes place within a racecourse or elsewhere.</p>
Particulars of Charge:	<p>Mr Noel Callow as a licensed Jockey with the Queensland Racing Integrity Commission on a date approximately one year ago engaged in conduct that was prejudicial to the image of racing.</p> <ol style="list-style-type: none">1. While in Darwin and away from a racecourse, Mr Callow recorded a video of himself engaging with a member of the public in a manner that included repeated use of obscene, offensive and racially charged language.2. During the recording, Mr Callow made derogatory comments including "you stink like fuck", "have a shower", and mockingly referred to the man as "Yothu Yindi", before singing lyrics from the <i>Treaty</i> anthem in a manner clearly intended to ridicule.

3. The conduct occurred in a public place, was recorded by Mr Callow, and was subsequently published and circulated via WhatsApp, before becoming publicly accessible through wider sharing.
4. The conduct is considered to be prejudicial to the image of racing.

Plea: Guilty

Charge 2: Australian Rule of Racing ("AR") 228(a) states:

Conduct detrimental to the interests of racing

A person must not engage in:

- (a) conduct prejudicial to the image, interests, integrity, or welfare of racing, whether or not that conduct takes place within a racecourse or elsewhere.

Particulars of Charge: Mr Noel Callow as a licensed Jockey with the Queensland Racing Integrity Commission on a date approximately one year ago engaged in conduct that was prejudicial to the image of racing.

1. Mr Callow while riding a bicycle on a footpath directed offensive and racist language at members of the public.
2. The video captures Mr Callow saying:
 - "Look at these cunts";
 - "Stop walking on the fucking footpath, you fucking coons," and
 - "Get up the coons."
3. The conduct occurred in a public place, was recorded by Mr Callow, and was subsequently published and circulated via WhatsApp, before becoming publicly accessible through wider sharing.
4. This conduct is considered prejudicial to image of racing.

Plea: Guilty

Penalty Submissions:

Stewards were presented with detailed written submissions from Mr Matthew Stirling, counsel assisting Mr Noel Callow.

In summary Mr Stirling submitted on behalf of Mr Callow that:

Charge 1:

1. Remarks were rude/offensive but more in the nature of “street talk humour.”
2. Tone not acrimonious; offered pizza in exchange for a shower.
3. Comments should not be viewed as racist; unlikely to cause serious reputational damage to racing.

Charge 2:

1. Remarks were racist but made in passing while riding away on a bike.
2. Directed at a group generally, not specific individuals.
3. Unclear if anyone actually heard the remarks.

Circumstances of dissemination:

1. Callow shared footage privately with friends and asked them not to spread it.
2. Public release occurred through others leaking the footage, not Callow.
3. This reduces the seriousness compared with direct publication.

Mitigating factors:

1. Likely influenced by alcohol.
2. Conduct was over a year old.
3. Remarks were intended as misplaced humour, not deliberately cruel.
4. No history of similar offending.

Penalty comparison:

1. Sporting precedents (AFL, racing cases in NSW & Victoria) suggest suspensions of 4–6 weeks for racist/homophobic slurs.
2. No reason racing should treat such matters more harshly than other sports.
3. Any penalties should run concurrently as part of one course of conduct.

Stewards Finding on Penalty:

Mr Callow’s submission that the conduct lacked cruelty or malicious intent does not diminish the seriousness of the offence. In accordance with AR 228(a), the relevant consideration is whether the conduct was prejudicial to the image or interests of racing. The rule in itself does not require proof of cruelty or malice, only that the conduct has the tendency to bring the sport into disrepute. Racist and obscene language, even if intended as misplaced humour as submitted by Mr Callow, is objectively offensive, blameworthy, and damaging to racing’s reputation once publicised.

While Mr Callow contends that he only shared the footage with a limited number of associates, it remains the case that he created, recorded, and disseminated the material. That act initiated the chain of events which foreseeably led to wider publication. A licensed person bears responsibility for the risks inherent in recording and sharing offensive material. The fact that others may have contributed to its wider dissemination does not absolve Mr Callow of accountability for placing the content into circulation.

The submission that a 4–6 week suspension, as typically applied in AFL for racist or offensive remarks, is an appropriate penalty overlooks a critical distinction. In those cases, the remarks were made during play or in private settings, and not self-recorded, published, or circulated by the offending player. By contrast, Mr Callow recorded, shared, and thus published his own racist remarks, which were subsequently reported by media outlets domestically and internationally. This element of publication significantly aggravates the conduct, aligning it more closely with cases such as Trainer Gordon Elliott, where global media exposure magnified reputational harm

Mr Callow's record shows multiple incidents of misconduct and prejudicial behaviour spanning several decades, including:

1. **30 July 2025 (Darwin):** Fined under AR 228(a) for prejudicial conduct.
2. **28 May 2025 (Doomben):** Suspended under AR 228(b) after instigating a physical altercation with another jockey.
3. **18 February 2016 (Racing.com Park):** Fined for misconduct involving inappropriate language directed at the Clerk of the Course.
4. **10 November 2013 (Selangor):** Fined for misconduct.
5. **4 June 2006 (Morningside):** Fined for misconduct after kicking a horse (*Star Mission*) in the stomach at the barriers.
6. **17 April 2006 (Caulfield):** Found guilty of misconduct for manhandling, kneeling, and punching another person at the Caulfield Racecourse.
7. **18 December 1998 (Sale):** Fined for misconduct.

This record demonstrates that Mr Callow has a longstanding history of misconduct, including incidents of prejudicial behaviour. While some incidents occurred many years ago, the recent pattern in 2025 of prejudicial conduct and physical altercation is highly relevant and shows that such behaviour has persisted late in his career.

The Stewards therefore reject the submission that Mr Callow's record is mitigating. Instead, his disciplinary history is an aggravating factor that must be taken into account when considering penalty, as it indicates a failure to learn from prior sanctions and an ongoing disregard for the standards expected of a licensed person.

Racing relies heavily on the confidence of the public and industry stakeholders. Racist and offensive behaviour, when recorded and widely circulated, fundamentally undermines that confidence.

In **Wallace v Queensland Racing [2007]**, McGill DCJ observed:

"The evident purpose of the rules is to provide very strong incentives for those subject to them to take great care to ensure that racing is conducted with integrity. Public confidence in racing is easily damaged, and must be protected by imposing penalties when conduct is shown to be prejudicial to the image of the sport".

The Stewards are satisfied that the circulation of Mr Callow's footage, which was published in news articles nationally and internationally, has caused real prejudice to racing's reputation.

In **Waterhouse v Racing Appeals Tribunal [2002]**, Young CJ in Eq held that:

“Before a charge relating to prejudice to the image of racing can be sustained, there must be an element of public knowledge; the conduct must have a tendency to prejudice the sport itself, and not merely the individual involved; and the conduct must be blameworthy”.

In this case, the wide media dissemination ensures the element of public knowledge is plainly established, and the language used by Mr Callow was both offensive and blameworthy.

Further, in **Pollett v Racing NSW (2021)** the Appeal Panel stated:

“For conduct to be prejudicial to the image or interests of racing, it is not necessary that the industry has in fact been brought into disrepute; it is sufficient that the conduct, viewed objectively, has a natural tendency to diminish public confidence in the integrity of racing”.

Stewards acknowledge that any penalty imposed upon Mr Callow may limit or prevent a person from earning a living from the racing industry and subsequently that the imposition of such a penalty may limit a person’s human rights to own property (namely a licence), as well as the human right of privacy and reputation. The Commission further acknowledges that a limitation upon a person’s ability to participate in the racing industry, and earn income from that participation, may only be imposed where it is reasonably necessary to achieve the purpose of taking disciplinary action and there is no less restrictive and reasonably available way to achieve the purposes listed above, than to suspend a licence, disqualify a person from holding a licence, or warn a person off.

In the circumstances of this case, Stewards are satisfied that there is no lesser penalty that could be imposed that enables the purposes of taking disciplinary action against a licensee for a contravention of the rules of racing, which are to:

- Maintain public confidence in the racing of animals in Queensland for which betting is lawful;
- Ensure the integrity of all persons involved with racing or betting under the *Racing Integrity Act 2016* or the *Racing Act 2002*; and
- Safeguard the welfare of all animals that are or have been involved in racing under the *Racing Integrity Act 2016* or the *Racing Act 2002*.

Penalty:

Charge 1: Stewards are of the view that a disqualification is warranted in the circumstances. A disqualification for a period of six (6) months reduced to five (5) months in relation to Mr Callow’s guilty plea effective from the date of this decision.

Charge 2: Stewards are of the view that a disqualification is warranted in the circumstances. A disqualification for a period of six (6) months reduced to five (5) months in relation to Mr Callow’s guilty plea effective from the date of this decision.

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(4) Unless otherwise ordered by the person or body imposing the penalty, a disqualification or suspension imposed under subrules (1) to (3) is to be served cumulatively to any other suspension or disqualification.

Stewards order the periods of disqualification to be served cumulatively, being a ten (10) month disqualification, to commence 22 August 2025 to conclude 22 June 2026.

Further, stewards draw to the attention of Mr Noel Callow Australian Rule of Racing AR 263 and the prohibitions on persons and their conduct while disqualified.

Against this Stewards decision Mr Noel Callow is advised of his rights to appeal this decision to the Racing Appeal Panel.