

IN THE MATTER OF

ENGLAND BOXING

-and-

MR REX PILBEAM

DISCIPLINARY PANEL DECISION

A. INTRODUCTION

1. This is the written decision of the Disciplinary Panel, consisting of Mr Chris Anderson, Mr David Mold (Chair), and Mr Rustam Sethna in the matter of Mr Rex Pilbeam pursuant to the England Boxing Disciplinary Procedure ("the Procedure"). This is the panel's decision.
2. The hearing was held remotely by Zoom on 2 December 2021.
3. England Boxing were represented by Ms Mitchell- Dunn. Mr Pilbeam attended and represented himself.

B. THE CHARGES

4. The charges against Mr Pilbeam were set out in the charge letter dated 19 August 2021. The charge was that on or around 5 March 2021 through his social

media account he posted an image of a Golliwog with the text “As Black lives matter can I be put back on my jar please”. This post was said to be offensive and/or racist in nature.

5. It was said that through his actions he had:

- i) Acted contrary to the England Boxing's Equity Policy.
- ii) Acted contrary to the England Boxing code of conduct
- iii) Not acted in the interests of the sport or of England Boxing
- iv) Brought the sport or England Boxing into disrepute.

C. DETERMINATION

- 6. The hearing commenced on 2 December 2021. England Boxing identified all the documents that all involved should have. At this point Mr Pilbeam indicated that he did not have the bundle that England Boxing had prepared printed out.
- 7. After a brief adjournment, the panel were satisfied that the hearing could fairly proceed and asked England Boxing to share on the screen any document that was referred to during the course of proceedings so that Mr Pilbeam could see it.
- 8. England Boxing set out its case, Mr Pilbeam then gave his evidence and was cross examined by Ms Mitchell-Dunn. The panel heard submissions from both parties.
- 9. Mr Pilbeam’s case was, in summary, that he did not think that the Golliwog was offensive. In his family, and his generation, it was viewed with affection. He did apologise if people felt offended by the post and said he would not do it again.

10. The panel were satisfied that it had jurisdiction to determine the charge. The disciplinary procedure applied to Mr Pilbeam, as he was actively involved in boxing. Further, Mr Pilbeam was an official of England Boxing as an MC under §4.2 of the England Boxing rules. As an official he was required to adhere to the code of conduct: see §4.3 of the boxing rules.
11. The panel were invited by England Boxing to consider other posts that Mr Pilbeam had made which it was said had a bearing on the interpretation to be given to the post that was the subject of the charge.
12. The panel agreed with Mr Pilbeam that these posts were not relevant to the determination of the charge. No charges had been brought in relation to those other posts.
13. The panel considered whether the post was racist or offensive on the basis of the post itself. It did not consider it by reference to or alongside other posts that Mr Pilbeam had made.
14. The panel were satisfied that, objectively, the post was both racist and offensive:
 - i) The use of the golliwog is an offensive and racist symbol
 - ii) There reference to “black lives matter” as being a basis to return the golliwog to the cover of the jam jar was also both offensive and racist.
15. The panel found that, accordingly, Mr Pilbeam had:
 - i) Acted contrary to the England Boxing code of conduct
 - ii) Not acted in the interests of the sport or of England Boxing
 - iii) Brought the sport or England Boxing into disrepute.

16. The panel determined that there had been no breach of England Boxing's Equity Policy. That policy did not appear to apply to individuals or members but seemed more directed at England boxing itself.

17. The panel were surprised that England Boxing has no social media policy (or similar provision within its rules or regulations that specifically sanction social media misconduct). This may have helped to prevent the issues that have arisen in this case, and if not, would have provided a clear framework against which the charge could have been framed.

D. SANCTION

18. The Disciplinary Panel considered the bundle of evidence provided by England Boxing and took into account that Mr Pilbeam had no previous disciplinary record and had indicated that he was sorry if offence had been caused and that he would not do this again.

19. In the circumstances, the Disciplinary Panel considered the following sanction appropriate:

- 1) Mr Pilbeam is to be banned from England Boxing until 31 May 2022 (reduced from a 6 month ban given the mitigation); and**
- 2) Before Mr Pilbeam could return to England Boxing he must complete a suitable programme of education aimed at addressing the matters that form the subject of these charges**

20. There was no application by England Boxing for costs and so there was no order as to costs.

21. The Panel's decision was unanimous.

RIGHT OF APPEAL

22. A right of appeal is available to both England Boxing and Mr Pilbeam in accordance with the EB Procedure.

22 December 2021

Chris Anderson

David Mold

Rustam Sethna