EDUCATION, EMPLOYMENT AND TRAINING COMMITTEE

Members present:
Ms KE Richards MP—Chair
Mr MA Boothman MP
Mr N Dametto MP
Mr J-PH Langbroek MP
Ms JC Pugh MP
Mr JA Sullivan MP

Staff present:
Mr R Hansen—Committee Secretary (virtual)
Ms R Duncan—Assistant Committee Secretary

PUBLIC HEARING—INQUIRY INTO THE RACING INTEGRITY AMENDMENT BILL 2022

TRANSCRIPT OF PROCEEDINGS

MONDAY, 21 MARCH 2022

Brisbane

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The committee met at 9.30 am.

CHAIR: I declare open this public hearing for the Education, Employment and Training Committee's enquiry into the Racing Integrity Amendment Bill 2022. I am Kim Richards, the member for Redlands and chair of the committee. I acknowledge that today we are meeting on the custodial land of the oldest living civilisation in the world, and I pay my respects to the Jagera and Turrbal people and their elders past, present and emerging. We are very fortunate in this country to live with two of the world's oldest continuous living cultures in Aboriginal and Torres Strait Islander people. With me on the committee are: John-Paul Langbroek, the member for Surfers Paradise, who has been appointed as a substitute today for the member for Southern Downs in accordance with standing order 202; Mark Boothman, the member for Theodore; Nick Dametto, the member for Hinchinbrook; Jimmy Sullivan, the member for Stafford; and Jess Pugh, the member for Mount Ommaney, who has been appointed as a substitute today for the member for Rockhampton in accordance with standing order 202.

On Thursday, 24 February 2022 the Hon. Grace Grace MP, Minister for Education, Minister for Industrial Relations and Minister for Racing, introduced the Racing Integrity Amendment Bill 2022 into the Queensland parliament. The parliament subsequently referred the bill to this committee for detailed consideration, with a reporting date of 8 April 2022. The bill contains amendments to the Racing Integrity Act 2016. The main purpose of these amendments is to reform the review processes for decisions made by stewards under the Rules of Racing. The purpose of the hearing today is to hear evidence from stakeholders who made submissions as part of the committee's inquiry into the bill.

The committee's proceedings are proceedings of the Queensland parliament and are subject to its standing rules and orders. In this regard, I remind members of the public that under the standing orders the public may be admitted to, or excluded from, the hearing at the discretion of the committee. Only the committee and invited witnesses may participate in these proceedings. Witnesses are not required to give evidence under oath, but I remind everyone that intentionally misleading the committee is a serious offence. The proceedings are being recorded by Hansard and broadcast live on the parliament's website. Those present today should note it is possible you may be filmed or photographed by the media and images of you may appear on the parliament's website or social media pages. The media rules endorsed by the committee are available from committee staff if required. I ask everyone to please turn their mobile phones off or to silent, except for those people on the line. I now welcome our first witness from the Australian Jockeys' Association.

RING, Mr Kevin, Director and National WHS Officer, Australian Jockeys' Association (via teleconference)

CHAIR: Good morning. Would you like to make a brief opening statement before we start our questions, Mr Ring?

Mr Ring: As noted in submissions in support of the Racing Appeals Panel, I have no problems with that at all. I think it is great. I just have a query as far as only being able to appeal on the severity when appealing to QCAT. I agree with disqualification. There should be no avenue for appeal on penalty on the charge itself if it is three months or more—and you can only appeal to QCAT if it is three months or more—but what about if it is a suspension? Quite often if it is a running and handling case like a 135(b), failing to give the horse every opportunity, a number of times it is often a lengthy suspension of three months or more—it could be six weeks—not a disqualification. Is there an avenue to appeal a charge if it is only a suspension?

CHAIR: We are seeking your feedback. We can take that on notice as a question to pose to the department. We are keen to hear from you the points of the bill that might raise concern. That is one, obviously.

Mr Ring: As I said, the concern I have—and I am sure jockeys would be similar—is that a lot of the times disqualification is fair enough if it is a drug charge or something as serious, if not more serious. It could be failing to give the horse a run or something like that. If it is a suspension, I know that in other jurisdictions there is no avenue to appeal a second charge; it is only severity before

QCAT. In New South Wales you can appeal for another chance to their board, a racing appeals tribunal. I am just worried for a jockey who has been given three months or more, feeling aggrieved on just a suspension, whether they could appeal the charge rather than the severity.

CHAIR: So the charge rather than the severity of the penalty?

Mr Ring: Yes. Rather than just the severity of the penalty, more so the charge. As I said, disqualification is a different story. I do not think there is any avenue, unless there are extenuating circumstances, to appeal the charge or get a stay, but for a suspension would there be any leeway under the act for that to happen?

CHAIR: That is something we can take on board and pose to the department later this afternoon. Do you have any other parts of the bill that you wanted to talk about?

Mr Ring: No, Glen Prentice and others will put their cases forward. I did listen to the original parliamentary hearing on this bill and the changes, and I am very supportive.

Mr LANGBROEK: Looking at what you have asked about, I can understand your query. As the chair of the committee mentioned, that is something we will seek clarification about. It may just be something that was not included by the department in the bill about disqualification and suspension. This is really just more of an observation. I can understand what you are saying. Because the word 'suspension' is not in there, there would be no avenue unless it is in there. That is something we will follow up, because that would be similar to New South Wales.

Mr Ring: Yes, I understand.

Mr SULLIVAN: You called it a suspension but then also referenced a stay or an appeal, so whatever terminology you would like to use is fine. Do you think in those circumstances, if there is a suspension for six weeks, as you described, that a jockey should be able to ride while that is being considered?

Mr Ring: If they appeal to QCAT after the review panel if their case has been dismissed, yes, I think there should be some consideration, depending on the type of charge it is and other circumstances. It could be the jockey's record and things like that. But there could be an avenue there for a stay of proceedings until it is heard. Naturally, this whole new system is about getting things heard as quickly as possible.

Mr SULLIVAN: Sure. But do you think there is a feeling amongst the profession about when somebody has been called out for a particular behaviour and then there is a stay or an appeal process and they are at the track the next day riding alongside people who have not been found to have engaged in that behaviour?

Mr Ring: Well, it will not be careless riding, because careless riding is normally two to four weeks at the most, unless the jockey has a terrible record, and then you would look at—if it was the stewards or Racing Queensland, they would be looking at whether that jockey should retain their licence if they are that bad. If it is, as I said, a 135(b), which is failing to give a horse every opportunity, that really affects a jockey not just in Australia but also if the jockey wished to ride overseas. If that charge stuck, they would not be able to get a licence in most jurisdictions overseas, and a lot of jockeys are riding back and forth overseas these days.

Yes, I think if it is a suspension on that or just a running and handling type case, which is similar to 135(b), then if they are not considered a dangerous rider—as I said, it would not be careless riding because careless is exactly what it says: careless. It is not dangerous or reckless; it is just that a horse may make a movement and the jockey might not react quickly enough and things like that. I think if it is a higher charge then you have to give consideration. That would be up to the board with a stay of proceedings whether they deem the jockey dangerous or whether it is just a running and handling case and it is not putting other riders at risk. They are all different cases, of course.

Ms PUGH: I just wanted to ask what the Australian Jockeys' Association's view on the publication of details of the panel's decision might be.

Mr Ring: I have no issue with that. I see that other jurisdictions do similar. Being an ex-jockey myself, I have no issue with that. Generally, they are published anyway. You can often get them on the Racing Australia site and things like that, so I cannot see an issue.

Mr BOOTHMAN: You have been talking a lot about 135(b) suspensions and how the system works. I am just curious, because racing is something that I am not really that familiar with. Honestly, it is terrible to say this, but I have never bet on a horse.

CHAIR: You have never bet on a horse?

Mr BOOTHMAN: I have never bet on a horse in my entire life.

Ms PUGH: You have never even done sweeps on Melbourne Cup Day?

Mr BOOTHMAN: I have never done sweeps.

Ms PUGH: I just wanted to get that on the record.

Mr BOOTHMAN: We were just talking about other jurisdictions. When it comes to 135(b), what is the process in New South Wales? How does it work down there? I am very curious to hear about how the system works in New South Wales.

Mr Ring: From what I gather, in New South Wales if it is disqualification it is a different set of circumstances. With suspensions and so on you can get a stay of proceedings but, as I said, every circumstance is different. They may grant; they may not grant.

Mr BOOTHMAN: In what circumstances would they grant a stay of proceedings?

Mr Ring: Well, it depends on the board. I suppose it would be what has been put forward by the appellant on paper as far as the reasons they should be granted a stay. If it is grounds of not guilty and other extenuating circumstances or other things that may have occurred during the race then, yes, quite often they will get a stay, but it also depends how they word it.

Mr DAMETTO: Mr Ring, my question relates to lengthy time delays with the previous system and how shortening things up will aid jockeys and the industry in general. Can you speak to that?

Mr Ring: I think the fact that you can only appeal now on whether it is three months or more will help a lot. Under the previous system, when they would get renewed the jockey would appeal to QCAT on just a two-week suspension or three or four weeks, whereas this is three months or more. Naturally you are going to have fewer appeals to QCAT, so that would help a lot. It will not bank up the people in line, so that is going to move along as well.

CHAIR: It will possibly make it a fairer playing field for all jockeys too, if that is the case.

Mr Ring: Yes.

CHAIR: There being no further questions, thank you, Mr Ring, for appearing before the committee today. There were no questions taken on notice. Thank you for your time today; we are really appreciative.

BRODNIK, Ms Kate, Senior Policy Solicitor, Queensland Law Society (via teleconference)

FORBES, Mr Andrew, Deputy Chair, Occupational Discipline Law Committee, Queensland Law Society

CHAIR: Good morning and welcome. Would you like to make a brief opening statement before we start our questions?

Mr Forbes: Good morning and thank you very much. I will throw to Ms Brodnik for the opening.

Ms Brodnik: Thank you for inviting the Queensland Law Society to appear at the public hearing for the inquiry into the Racing Integrity Amendment Bill 2022. In opening, we would like to respectfully recognise the traditional owners and custodians of the land on which this hearing is taking place, Meanjin, Brisbane. We recognise the country north and south of the Brisbane River as the home of both the Turrbal and Jagera nations and pay deep respects to all elders past, present and future.

The main policy objective of this bill is to reform the review processes for decisions made by stewards under the racing rules. This is to be achieved by replacing the current internal and external review processes for decisions made by racing stewards with review by an independent panel. In respect of the types of decisions that will go before the panel, we wish to clarify the points in our written submission about current section 240 of the Racing Integrity Act and the new section 252AB.

Clause 23 of the bill amends section 240 so that an original decision for the purposes of internal and external review will now not include a decision that can be reviewed to the panel for a decision made by the panel. However, the types of decisions are still listed in this provision, and we say this is confusing. We suggest removing paragraphs (a) to (f) from section 240(1) given that these decisions are now listed in section 252AB and also given that they are not a direct copy and paste and that there may be some ambiguity and confusion there.

In relation to another point from our submission, new section 252AU provides for a limited right of review to QCAT if a decision is related to disqualification action and the appeal relates to a question of law relating to the extent of the disqualification action. In our submission we queried the use of the term 'extent'. We note the department has provided a response to the query, which states—

> It is intended that the appeal can only be on the law as to the period of application of the disqualification action or whether disqualification action was appropriate. In other words, it is intended that a person can only appeal on a question of law about the size of the penalty.

We suggest that this explanation does make the legislation a little less confusing. Therefore, we would submit it should be included either in the provision itself or in the explanatory notes so that appeal rights can be clearly understood by the parties, which we say is critical and will prevent any disputes arising at the commencement of appeal about whether or not someone has a right to appeal.

Finally, on the question of resourcing, the explanatory notes for the bill provide that the average time taken for QCAT to consider reviews is more than 200 days and that this compares unfavourably with the time taken to finalise reviews in other jurisdictions, where the time is not normally more than a few weeks apart from if there is an appeal. The amendments, however, still allow for an appeal to QCAT. We submit that the answer to these long delays cannot simply be the creation of an alternative body. QCAT needs to be appropriately funded to perform its functions. It has not been and the result is unacceptable delays across many of its jurisdictions. These delays create significant issues for parties such as those involved in disciplinary actions where their livelihoods are on the line until the matter is finally determined. We note the department's response about our concerns that the new panel will not be appropriately funded. As one of the main objectives of the bill is to ensure reviews are finalised within a reasonable time, an appropriately funded panel, including appropriate administrative resources, is critical.

As you will see, I am joined in the room today by Andrew Forbes, who is the deputy chair of our Occupational Discipline Law Committee and who has acted for the Queensland Racing Integrity Commission and its predecessor as well as for regulators and individuals in other disciplinary jurisdictions. We would be pleased to answer any questions from the committee. Thank you.

Mr DAMETTO: My question is with regard to the 200 days it has taken to process QCAT claims in the past—that is my understanding. What would you see as a reasonable time frame to be working through some of these disputes for these charges?

Mr Forbes: I can unfortunately confess that I was acting in one of the matters that pushed the average out to 200 days.

Mr DAMETTO: Congratulations!

Mr Forbes: Yes, it was not a pleasant experience. As the criticism has been made, the model does not quite work for this particular body. It is a matter I would like to touch on which is not touched upon in the Law Society's paper; that is, the nature of the review that is brought. In QCAT you can bring a review 'afresh'. In other words, you start again. What happens when you get a bunch of lawyers involved with that is you reinvent your case. In that matter, which did blow things out for an extended period of time, the regulator was uncertain about to what extent the case has to be proved, because in that jurisdiction the regulator has to prove their case again.

To demonstrate the point, that was a drugs in a horse case. Potentially, you have to prove from the moment the horse hopped off the track to the sample that was taken, identify the chain of custody, the moment it gets to the testing facility—all the rigmarole with that and then the rest of the case starts. The point is that every point was taken and it was extremely lengthy. Unfortunately, the decision did take a long time—an extraordinary period—to come out. It is more about how the cases are run.

I used the words 'hearing afresh' in the context of QCAT. My suggestion—and this is a point which is not made in the Law Society's letter—is that consideration might be given to what nature of appeal or review is run to assist in simplifying the matter. Before I suggest something, challenged by those simple words in the QCAT Act, there are a couple of different interpretations around the country of what the review should look like. What I will call the old-fashioned way is that the review appears on the material that was before the decision-maker at the time, so you have a boundary straightaway. To make sure that procedural fairness is followed, if someone says, 'I'd really like to put this in and it's really important,' leave is given but it is not a 'start again' jurisdiction.

Mr DAMETTO: It is adding to rather than starting again?

Mr Forbes: That is right. What we have now is a scheme that is before a panel, which the Law Society supports. It has to be done within 20 days. You are not going to fit a 'hearing afresh' model into that. The only provision I have seen in the bill that can control it is to give the chair or the panel the ability to set the rules. That is a very standard clause in legislation but it might assist, for example, defining what the review or appeal should look like. In other words, is it a hearing afresh or is it an appeal or review purely on the material that was before the stewards at the time, which I would urge in the context of what everybody is trying to achieve by this legislation.

Mr DAMETTO: I completely understand that. Thank you.

CHAIR: Is that the case in other jurisdictions? Is that how it is set up in other jurisdictions, to your knowledge?

Mr Forbes: The hearing afresh is done in other jurisdictions, absolutely. I do a fair bit of professional work—for example, doctors, nurses and the list goes on—and it is probably appropriate for that jurisdiction. If a decision goes before the decision-maker at that point in time, quite critical to the decision is what happens in the intervening period between the time the act occurs and the outcome, so it is appropriate in those circumstances but it is still cumbersome. Those bodies have their problems in shifting things through QCAT quickly as well. I think I heard the Jockeys' Association giving examples of a two-week suspension and you are still fighting your way through QCAT months and months later. The model does not quite fit.

CHAIR: What was the duration of the particular case that blew the average out to 200 days?

Mr Forbes: The decision took about two years to be delivered. It probably took in excess of two years to get through the hearing phase as well.

CHAIR: That was a number of 'start afreshes' within that two-year block?

Mr Forbes: That is right. I should say one other qualification. It went before QCAT and then it went before the appeal tribunal as well, so there was an extra step involved. It was the appeal decision which took a long time to come out, not the first one. What was presented in the end bore no resemblance to what occurred before the stewards and ultimately the decision swung on a very technical issue that no-one really thought about. It did not quite work, hence the slight bitter tone in my voice.

CHAIR: Was it a major infringement?

Mr Forbes: It was cobalt in racehorses, which was—pardon the pun—the flavour of the month a couple of years ago in terms of it being novel at the time.

Mr SULLIVAN: Mr Forbes—and answer as you can with your professional responsibilities obviously if you were in the matter—can I assume that there was a stay in place while that two-year-plus—

Mr Forbes: There was originally a stay in place, but curiously there was not a stay on the appeal. The appeal ran and I assume the trainer concerned served out his time, which was a very strange approach, but I cannot comment. We were expecting a stay application; it just did not come. The original decisions were stayed.

Mr SULLIVAN: So the trainer was able to operate while that case progressed?

Mr Forbes: I assume that. As a regulator, we do not really ask those questions unless you are asked for a stay. Then you design something which might then work. In other words, what can they access?

Mr SULLIVAN: You were in the matter on behalf of QRIC?

Mr Forbes: I was QRIC on that occasion, yes.

Mr SULLIVAN: Do you think the issue of people manipulating the stay process is addressed well in this proposed bill in terms of people not being able to game the system?

Mr Forbes: I think it is. I will try to say this carefully, but it will not be that careful. When the matter before Racing Queensland was taken out of the last system and put before QCAT, there was a flurry to walk up Queen Street to get these stays. The attempt made by the parties at the time was to apply what any civil lawyer does. In other words, there are a set of rules that you apply. This is the rude comment. I think they were diluted quite considerably and it was almost impossible to avoid a stay, and that will be significant to something I will mention in a minute.

I have seen those comments that it was used by the persons affected to time their races and time their holidays et cetera. That might be a fair observation. In fairness to QCAT, they were overloaded with the stay applications and some of them were pretty minor, if I can put it in those terms.

One thing I wanted to focus upon, which is only just touched upon in the Law Society's submission, is about that issue of stays. I made mention that QCAT was inundated with these applications. There is still a provision, as I read it, for a stay to be brought to QCAT from a decision from the internal review. My suggestion would be that, again, to ease the burden upon QCAT, a better way might be to allow the internal reviewer to make a decision in the first instance as to whether a stay should be granted. If the jockey or trainer does not like that decision—in other words, the stay is not granted—they can still go off to QCAT or they can go to the panel. In other words, just declog the run to QCAT a little bit more.

It seems to be a little bit of an anomaly whereby we are trying to get out of QCAT things which are clogging them up. This is one little provision which is still there and can probably be effectively done another way. That is section 244 of the act.

CHAIR: Thank you very much, Mr Forbes and Ms Brodnik. I note there were no questions taken on notice. We are very grateful for your time appearing before the committee today. Thank you very much.

CHISHOLM, Ms Fiona, Director, Coalition for the Protection of Greyhounds (via teleconference)

CHAIR: Good morning. Would you like to make a brief opening statement before we start our questions?

Ms Chisholm: Yes, I appreciate that. First up I wanted to say thanks from CPG for the opportunity to give evidence and also to thank Rob Hansen, the committee secretary, for his assistance in getting this all organised.

Our chief concern, which runs across all three of our recommendations, is about transparency, and this is key to each of the three recommendations. The panel decisions needing to be publicly available is incredibly important; otherwise, Queensland would be behind every other jurisdiction because panel decisions are publicly available in all other jurisdictions. They are published, they are published in detail, and they are available on websites and easily found.

Just on Friday the department provided its written advice in response to submissions. The department's written advice in response to our recommendations would basically keep Queensland behind every other jurisdiction in Australia. I am very intrigued why Queensland would want to be in that position. The departmental advice says, with regard to our submission—

> Proposed section 252AH provides that the Panel must give the parties to review a notice stating the Panel's decision ...

and I will hop to—

> Proposed section 252BM provides that the registrar must keep a register that includes a brief description of each application for review and the information in the notice under section 252AH (which would include the reasons for the Panel decision). The registrar must make a copy of the register available for inspection on the Panel's website.

Only having a brief description of each application is not an ideal situation in terms of best practice transparency. There should be really good detail available on the register. I think it would be unfortunate if there was only a brief description. That does not help either participants in the industry or potential entrants to the industry—or bodies such as ourselves who are particularly interested in the welfare of the animals involved—to really understand what is going on.

The second recommendation we made about nondisclosure grounds should be clarified. It is a very—unfortunately—broad ground that would allow exclusion of a lot of information and it would mean that the provision could be used to prevent proceedings from being made public for inappropriate reasons. That is not a situation that any jurisdiction wants to be in when it comes to the transparency of information. That is something that is of great concern to us.

Finally, and probably most extraordinarily is the issue of stewards' reports being made available to the public. It is really important that they are made publicly available on a website and, most particularly, that they are available for much longer than six months. I would draw the committee's attention to the fact that Racing Queensland itself in its submission also thinks this is problematic and believes that stewards' reports should be available for longer than six months. I guess you could say, in summary, that not only do you have a welfare body such as ours concerned about this; you also have the commercial racing industry, because they know that having stewards' reports around for a long period is incredibly important for punters. You have a broad spectrum of stakeholders very concerned about that issue.

CHAIR: Would you be able to expand on that in a little bit more detail in terms of the availability of stewards' reports and the purpose they would be used for beyond the six months?

Ms Chisholm: Sure. For punters and breeders it is really important, because stewards' reports contain really revealing detail about what exactly happens in a race. Often industry participants who have a dog in a race will have their own view of what happened to their dog—if it stumbled or why it stumbled and all the rest of it—but the stewards' reports are very useful in that they are a dispassionate observation of what has occurred in a race, what dog ran on the heels of another dog and whose fault that was. As you are probably aware, there are very particular rules around what is regarded as good racing behaviour by a greyhound. They talk about a greyhound's manners. When a breeder is deciding to make breeding decisions, behaviour of the dogs they are deciding to breed from and their racing record is very important.

For us as a body concerned about the welfare of animals, stewards' reports are what give you details about, for example, the number of days that an animal has been stood down due to injury. The analysis of those reports in terms of injuries suffered is, of course, of great interest to us and also to governments and regulators in every jurisdiction across Australia and, indeed, overseas parties who are interested in what is happening in Australian greyhound racing, it being the largest one now in the world. Does that give you sufficient insight?

CHAIR: That is great, thank you. I really appreciate that. Having never seen a stewards' report before, just understanding that is helpful, thank you.

Ms Chisholm: For research purposes there is really useful information in that. I should not leave the punters out. The really keen punters who know the industry and know their stuff look back through this stuff to get background on particular dogs and the progeny of particular dogs, because it is one of the best sources of information about how a dog behaves on the track. They are really important. For Queensland to only have them around for six months not only would be a departure from practice in terms of best practice transparency but also would be behind every other jurisdiction in Australia, and I just do not know why that would be proposed.

CHAIR: If were to suggest an alternative, what would you suggest is a reasonable length of time?

Ms Chisholm: Most of the jurisdictions leave their stewards' reports up for every year ad infinitum. You can go back to stewards' reports in the big racing states of Victoria and New South Wales for years and years. There is no reason to take them down, quite frankly. They provide, in effect, a history of the industry and they allow people, whether they are coming from the side of the welfare of the greyhounds, as we are, or whether they are coming from the commercial side of things, to really look back and see what has been going on. They also, for people who are racing their dogs, give a really valuable history of particular tracks and what the experiences have been for the dogs and the owners of those dogs racing on the tracks. Only putting them up for six months would be analogous to saying to people who are interested in their medical records, because over time and as we get older there are more problems to address, 'Look, we are only going to give you the last six months of your medical records. You don't need the rest.' There is no way in hell that anybody would accept that. This is why every other jurisdiction in Australia leaves their stewards' reports up for a long way back.

CHAIR: Was there anything else that you wanted to add before we hand over to questions from the committee?

Ms Chisholm: There is only one thing. Because I was so struck by the fact that transparency was key to the three recommendations we are making and also key to what the department wrote, which is basically saying, 'Look, what we are recommending is sufficient', which it is not—it is way from best way—I just had a quick look at the backgrounds of the people on the committee. Apologies to those who are recent joiners, but I had a look at people's backgrounds because I think one of the best ways to think about transparency which makes it less abstract is to think about where you as a worker have not had the transparency that you needed to make good decisions—

CHAIR: It is probably not appropriate to be reflecting on the committee in your commentary and our background.

Ms Chisholm: Okay.

CHAIR: Did you have anything further to add in relation to the bill before we go to questions?

Ms Chisholm: No.

Mr BOOTHMAN: You mentioned in your submission about the lack of independence for decision-making authorities. I got a bit confused about your points. This is to do with the mechanisms not sufficient to ensure decisions are impartial. Can you elaborate on what you were getting at there?

Ms Chisholm: It is an issue of perceived independence. If it is not really clear how decisions are made when it comes to the publication of reasons for each decision, that inevitably raises questions about independence and impartiality and whether the reasons for particular decisions being made are impartial. What is being expressed there is simply that if there is really good, open detail for the reasons a given decision is made then questions cannot be posed about the impartiality of the panel. It is that simple.

Mr DAMETTO: Just so I have an understanding of what the Coalition for the Protection of Greyhounds actually does, I understand that you are involved in the welfare of the animals. Are you involved in any part of the prosecution of animal welfare issues that are raised by the greyhound industry?

Ms Chisholm: No. We are not involved in the prosecution. The authorities that pursue that in each jurisdiction are generally the police, the RSPCA and, depending on the jurisdiction, various other bodies. Our focus is on the welfare of greyhounds. We are a group of volunteers who operate across Australia and also from overseas who are focused on publicising and exposing the cruelty involved in the greyhound racing industry.

Mr DAMETTO: Do you share any of the information and documentation that you bring together with any of those bodies that then seek to prosecute?

Ms Chisholm: All the information, all our research and all our case studies are available publicly on our website for anybody to look at. People who investigate cruelty have far wider investigative powers which we do not have. They collect their own information. We are very keen to see things like eight-dog racing reduced to six because all the available research shows that there are fewer collisions and fewer deaths and injuries as a result of fewer dogs racing. This has been very well established by research done at the Queensland University of Technology. We would like to see breeding reduced. It is now slowly increasing across most jurisdictions. Greyhounds Australasia, the peak body for the industry, has undertaken to establish breeding limits for each state. The deadline for that is this year. That has come out of their strategic plan for the last four years. It still has not been done. We would like to see safer tracks. In the big racing states of New South Wales, Victoria and Queensland, a lot of the track infrastructure is not up to scratch. It is very clear—

CHAIR: Ms Chisholm, thank you for your contributions. They are probably outside the scope of this bill. Do you have any further questions, member for Hinchinbrook?

Mr DAMETTO: No. I have no further questions.

CHAIR: I note that no questions have been taken on notice. Ms Chisholm, thank you very much for your time this morning. We are very grateful.

CASSIDY, Mr Larry, Vice-President, Queensland Jockeys' Association (via teleconference)

PRENTICE, Mr Glen, President, Queensland Jockeys' Association (via teleconference)

CHAIR: Welcome. Would you like to make a brief opening statement before the committee has questions for you?

Mr Prentice: Good morning. I speak on behalf of the Queensland Jockeys' Association in relation to the Racing Integrity Amendment Bill 2022. The members of the Jockeys' Association are supportive of the proposed changes to the current system that jockeys and other participants work under, being the QRIC internal review and QCAT system, although we would like to address the period of a stay a jockey is granted before having to commence a suspension or a penalty.

We are requesting that the period of stay be increased from the current nine days to 15 days. The department's response to that is that it 'would be inconsistent with practice in other jurisdictions' and 'could undermine the intended behaviour'. I can assure you that if a jockey receives a penalty such as a riding suspension they are extra careful shortly after receiving a stay, much like a person caught for speeding who afterwards is a lot more mindful of speed limits.

As to the response that the stay is inconsistent with other jurisdictions, it is quite obvious nationally that all jockey associations and principal racing authorities need to review this. The rules of a seven- to nine-day stay were introduced 30 to 40 years ago. This was when most states conducted racing only on Wednesdays and Saturdays. The racing world has changed now. We race on 364 out of 365 days, except for Christmas Day, although some states are now racing on Good Friday. In Queensland we race 320 days of the year. Basically, there are only 45 days when we do not race. On Mondays, as a rule, thoroughbreds do not race, but if there is a public holiday they do race on that day. The nine-day stay period has not moved with the times. The way racing is conducted in today's world adheres to the old archaic rules of the old boys club when whatever officials and stewards said was law.

Other states such as Tasmania, Western Australia and South Australia should not be compared to Queensland. Tasmania race once or maybe twice a week and have 12 registered jockeys and 5,000 starters a year. South Australia race two or sometimes three times a week and have 40 registered jockeys and 12,000 starters. Western Australia race two or maybe three times a week and have 60 registered jockeys and 14,000 starters a year. We should be comparing with New South Wales and Victoria, which have a similar number of race meetings, starters and registered jockeys. All of these three states have between 180 and 210 registered jockeys and around 40,000 starters annually.

The benefit to the industry by introducing an increase from a nine- to a 15-day stay period—rules set in 1980—is not so much for the jockey who will deserve the penalty but to owners, trainers and, most importantly, the punting public who, to a large degree, finance the industry with their wagering. These punters wager on a horse and rider in an event for futures markets. They trust that their hard-earned money is going to have every chance to perform its best. This is not being disrespectful or disparaging to jockeys here in Queensland.

You could ask: if it is introduced here in Queensland and not New South Wales, how is that fair? The reason is that most jockeys now in New South Wales, Victoria and Queensland are all engaged a minimum of 14 days in advance. That is why it is important to have this in place for Queensland. The reason is the depth of the quality of jockeys here in Queensland as opposed to New South Wales and Victoria. As I said, it is not a disparaging remark of the standard of jockeys here in Queensland. It is just a matter of fact. It is evidenced by the fact that jockeys in New South Wales and Victoria are also engaged 14 days in advance but, if a top jockey in New South Wales or Victoria is suspended and they cannot ride a horse in those states in 14 days time, you can walk into the jockeys' rooms and the person who is running 20th in New South Wales or Victoria is a group 1 calibre rider. As I said, the person who is running 20th in the premiership in New South Wales consistently rides in these types of races.

Each year in Australia on average there are 250 group 1 races, which is the elite type of racing. Jockeys from New South Wales and Victoria won 99 per cent of those races. There was one from Queensland and one from WA. Even when there is group 1 racing in South Australia, WA and Queensland, it is normally the Victoria and New South Wales riders who win. In Queensland we have four jockeys who have ridden group 1 winners and the majority of the remaining riders have not even ridden at that level. So when a trainer engages one of these jockeys at the top of the premiership—

such as a Jim Byrne, a Ryan Maloney or a Larry Cassidy—and they find out that in nine days time their engaged jockey is not available and the top 10 are gone, they are forced to engage a jockey of less experience and possibly ability which disadvantages them, the horse, the owner and the punter who has already invested their money on a horse with a top jockey engaged.

Stewards will say that extending the stay period diminishes the deterrent not to obey the rules. That is an archaic thing to say as all the top jockeys here earn well above $5,000 and upwards of $10,000 per week. Whether they are suspended before they fulfil these engagements or not, that still stops them when they actually have to take the penalty and not earn $5,000-plus a week.

From my experience, when Racing Queensland had the Racing Appeals Panel in place prior to the introduction of QRIC and the internal review system, I kept all the statistics. On average, in a calendar year there were 216 suspensions or penalties handed out to jockeys, and 181 of those took their suspension and agreed with the steward's decision. Of the remaining 35 appeals, which equated to 16 per cent, 31 were either exonerated or had a reduction in penalties. It is evident that stewards are not infallible and history shows they get it right basically 90 per cent of the time. It is quite evident that the introduction of an appeals panel is a good system and ensures that the integrity of racing remains intact.

The majority of suspensions are careless riding suspensions. It is considered a minor infringement. This represents about 95 per cent of penalties handed out to jockeys. Trainers, owners and punters should not continue to be disadvantaged by PRAs and stewards who want it run like it was ruled 50 years ago when we raced once or maybe twice a week. Racing needs to move forward with the times and not continue to operate like the old boys club of yesteryear. Racing continues to lose ground to other sports and we need to be on the front foot by being a leader in the sport and wagering market and not disadvantaging participants and punters.

That is all I have to say. Thank you for your time. I will hand over to the vice-president of the Queensland Jockeys' Association and an active jockey in Larry Cassidy.

Mr Cassidy: I will just give you a brief rundown of my experience in the racing industry. I have ridden in eight countries; I have ridden more than 2,800 winners, 42 group 1 winners. I won three consecutive Sydney Jockey Premierships and also a Queensland Jockey Premiership. Obviously I am the Queensland Jockeys' Association vice-president.

Glen covered everything very well there, but I will just give you a brief outline of what happens with jockeys' engagements. For this coming Saturday I was engaged for five horses 10 days ago. If I happened to get a suspension early last week, I would not have been able to fulfil those engagements. Trainers like Chris Waller, Tony Gollan and Rob Heathcote would be running around trying to get another jockey, possibly of a lesser calibre. I am not trying to be derogatory to other jockeys, but that is just the way it is.

The nine-day proposal poses a massive problem. Going from nine to 15 is a much better solution. The jockey will still get his penalty and, as you have heard from Glen, the top half-a-dozen jockeys are earning $5,000-plus. It still hurts you in the hip pocket. Trust me, getting a suspension is not great at any time of the year. It does not matter when you do it. At least if you get the 15 days, it gives you a chance to fulfil your engagements for those trainers. Even though a jockey is getting penalised, you do not want to be penalising the trainer, the owner and, most importantly, the punter who is the lifeblood of the industry and supplies prize money to the participants and also hundreds of millions of dollars in government tax revenue. Obviously the TAB is another agency set up for days, weeks or months in advance. Sometimes they are expecting a jockey to be riding a certain horse. If he goes from nine to 15, that would certainly would have a positive effect on being able to secure that rider for those horses.

I also believe that it will have the effect of cutting the amount of appeals, by at least 70 per cent. For most jockeys, if they get suspended on the Wednesday, the nine-day rule means they can ride on the Saturday but only until the following Friday. Most jockeys have engagements for that Saturday. If you can fulfil those engagements—obviously when you are engaged it is a contract—you are fulfilling your contract to ride those horses. Seven out of 10 jockeys, I believe, will take their suspension, which I believe is going to cut the appeals by about 70 per cent anyway.

The 15-day stay also helps when you have the likes of public holidays such as Easter and Christmas and other circumstances like we have been through with COVID and major weather events, which could have an effect on time constraints in getting a panel together to hear the appeals. An example of this is if you get suspended on a Monday, say at the public holiday racing, it will not be heard the next day; it will be heard the following Tuesday, which is the eighth day. If you only have nine days, realistically trainers know that you are suspended. They will take you off all your rides after

those nine days. If you get off your appeal, you are then actually penalised because you will not get to ride until the following Wednesday anyway, because trainers are not going to wait around to see if you get off your appeal. They will jump in and try to secure the best possible rider for their horse. Obviously in the event of not getting a panel together, 15 days will make it a lot easier and give a bit of extra time for any of these unforeseen cases.

Like Glen pointed out, the top six or seven jockeys earn approximately $5,000 a week. Deferring a suspension is still a major punishment. What we are trying to do is not punish the trainer, the owner or the punter. I have participated in many other jurisdictions around the world and I believe that the 15-day stay will work and be hugely beneficial for all participants and stakeholders. Thank you for your time.

Mr LANGBROEK: I am interested in the proposed 15-day stay. I gather from what you said, Mr Prentice, that we would be unique in having a 15-day stay compared to New South Wales and Victoria. Is that true, if we were to bring it in?

Mr Prentice: At this stage it is nine days in basically every state of Australia.

Mr LANGBROEK: I am very proud of Queensland racing, but I follow it in the other states. Has the overarching jockeys association made this suggestion to the two larger jurisdictions, New South Wales and Victoria, and what response have they had with the arguments you have put today?

Mr Prentice: At this stage no, but we have actually tabled it with the Australian Jockeys Association to do it nationally based on the facts we point out. I am not aware if anyone follows racing, but if James McDonald gets suspended—he is the top rider in the country at the moment—he can ride for nine days. He is already booked. As we have tried to point out, the calibre of the rider is where all the big money is—and we strive to get there. At this point in time, that is where your top 20 or 40 jockeys are, both in Sydney and in Melbourne. If a James McDonald gets suspended, they could walk in and pick out the fellow—if there are 12 horses in a run—who is the 13th best jockey on the premiership table who is already of that calibre; you do not lose too much. Here in Queensland, if a Larry Cassidy is removed and you have to replace him with someone like me, there will be a huge discrepancy ability-wise. That is what we have been stating.

Mr LANGBROEK: Isn't it true that stays have been used—I do follow racing—over a carnival period where you have something like the Doomben 10000 into the Stradbroke? If you were to increase the period that you could have a suspension delayed because of the stay—if it went to 15 days and the jockey then is able to ride in those so the penalty is taken only after the big days; and that is one reason why the deterrent effect is there—you might seek a stay and you might have a stay but you then do not get to ride in the carnival and you take the suspension when we are just back to ordinary mid-week or ordinary metropolitan racing?

Mr Prentice: Yes, that could be utilised that way. As it is in Victoria, they have the nine-day stay period. For the carnival races, the agreement with the associations and jockeys there is that all throughout the year it is a nine-day period of a stay; however, at the high carnival times—Melbourne Cup Week and everything like that—if you incur a suspension on the first Saturday, which is Derby Day—very similar to what Craig Williams did a couple of years ago—the stay period is withdrawn for that week. In Stradbroke Week or Doomben 10000, the jockeys association and the PRAs—in Queensland it is QRIC—can reach an agreement where there is a lesser stay period for those times when the big races are on. None of the time is anyone going out there willy-nilly knocking everyone down for 15 days and then saying (inaudible)

Mr LANGBROEK: Sorry, can you just explain that to me again for the committee's benefit? When that happened, as an example with Craig Williams on Derby Day, what happened with the stay? What was the agreement? What was the effect then for the rest of that week—for the Melbourne Cup, for the Oaks Day and then the final day?

Mr Prentice: He was not allowed to ride. He lost the winning ride on the Melbourne Cup winner. He had to take his suspension that night, on the Derby Day.

Mr LANGBROEK: Because of the severity of what he had done?

Mr Prentice: No. It is basically there so—

Mr LANGBROEK: So he cannot use the stay in his favour, just to be able to ride?

Mr Prentice: That was agreed upon with the riding groups down there, the jockeys association, the PRA and the stewards.

Mr Cassidy: Having a 15-day stay could actually still work against you come carnival time. Let's say the Stradbroke is in three weeks time and I get suspended. I only have a 15-day stay. That means I can ride the 15 days but I will still be out for the Stradbroke. A lot of jockeys will go, 'Bugger

that. I'll just take my suspension now, serve my time and I'm back for the Stradbroke.' Again, it is going to cut back appeals and the build-up of appeals as well. You may think jockeys may abuse the 15 days, but it is going to work against them as well in some cases.

Ms PUGH: I must admit that I do not follow horseracing but I am a mad football fan. I am pretty sure that if you have an infringement the punishment is immediate. Obviously we have to reconcile the fact that there are other people relying on income, but how far in advance would people be placing bets? I imagine you would place your bets fairly close to? Am I naive in thinking that? If I was going to bet on the Broncos line-up—which I do not—I would probably wait to see who the team was and who was injured before I put my money down. That just seems sensible to me. I guess my question is: are people really placing bets that far out that they could not wait and see who is going to be riding that horse before they decide what to do?

Mr Prentice: I can answer that, because I thought this question would come up—and the Broncos would be a good example.

Ms PUGH: It is the only example I can think of.

Mr DAMETTO: You wouldn't be betting on them to win!

Ms PUGH: Hey! You take that back!

Mr Prentice: Last Saturday there was a big race meeting at the Gold Coast called the Jewel Day. Basically, Racing Queensland is trying to keep up with the Joneses in New South Wales and Victoria so they are implementing all these big race days and everything. The betting on the Jewel race day started about 2½ weeks before, where you could bet on early markets. The winner was Prince Of Boom, ridden by James Orman, who is running second in the premiership. The other one, She'sgottheboom, was ridden by Boris Norton, who is a stable rider for a big stable, who won the race. Those debts were being taken several weeks in advance. That does not happen every week here in Queensland but, as a rule, the early markets are open every Wednesday.

The comparison with the Broncos is this: they have 30 registered players; obviously only 17 play. If one pulls out, they have a backup halfback and everything like that—probably not of the Adam Reynolds category, but they have someone there who is first grade. In Queensland—not being disparaging—we have a small pool of the top riders compared to other states. When these jockeys for these big stables are booking your Byrnes, Maloneys, Thorntons and Cassidys, 14 days in advance they have them secured. If, as Larry said, on a Wednesday he gets suspended and all of a sudden he finds out that he is out as of the following Friday night, he is already booked for five horses.

What happens then is that in every race there are 16 or 18 nominations, so you start picking. The 16 top ones in the state are gone straightaway; they are just gone. If Larry cannot fulfil those engagements, unfortunately, you are looking then at someone with the level of experience of you and me. They are probably not up to that city class standard, but that is where they have to go because they are gone. We are not just using top jockeys as an example. When you replace a jockey of Larry's calibre with someone who has ridden not even a 10th of the winners and does not have the experience, you are talking about replacing a potential hot favourite that punters are betting on with someone of less calibre.

In relation to the comparison with the Broncos, they play once a week; we are playing six days out of seven. In terms of a lot of our riders here in the south-east corner, there is basically no racing on Mondays unless there is a public holiday, but jockeys like Ryan Wiggins will fly up to Rockhampton on Tuesday morning and then fly back, then he will go to Eagle Farm on Wednesday, then he will jump back on a plane and go to Townsville on Thursday morning, then he will be back at Ipswich on Friday, then he will be at Eagle Farm or the Gold Coast on Saturday and then he will be on the Sunshine Coast on Sunday. In these places, especially in the Far North, if these guys are suspended the races do not go ahead because they are running for smaller prize money. I think they are about $18,000 races, so you are never going to get a Larry Cassidy jumping on a plane going up to $17,000 or $18,000 races.

They have been booked 14 days in advance, so if you get these ones as well it is actually diminishing all the provincial, especially in the north. There are not enough jockeys up north to ride the horses. There are about seven every Tuesday and Thursday who jump on planes and fly up there and race. If they know two weeks in advance that Ryan Wiggins, Justin Stanley and Nathan Day are not going up, they will pull someone from wherever they can or they will ring a Larry Cassidy and say, 'We'll pay your flights and give you a nice seafood dinner' to try to coax them up.

Mr Cassidy: Could I make another comment, to give you an outline of a suspension. More than 95 per cent of suspensions are careless riding. To put that in layman's terms, careless riding is when you shift out and you take another horse's line. We are not talking about where you come out

and bash into another horse and nearly cause it to fall. This is like driving down the motorway, looking in your mirrors and changing lanes and then all of a sudden you get a toot from the car behind because it was in your blind spot. That is what these are like.

These are not major offences. That is why it is called 'careless', because you have just carelessly shifted out—and sometimes you do not even know you have shifted. It is not like, 'You've got time and we need to really punish you.' It is not like that at all. You have made a slight infringement and you are going to do seven days suspension. Going from nine to 15 days is not like letting a jockey off. If it was a reckless riding charge or something major like that where a jockey just does not really care and comes out and does that, then maybe the nine days should stick. For these careless and very minimal, minor charges where you still should be doing time, I think a nine-day suits everyone, especially for trainers. You are not penalising the trainer and the owner.

Mr SULLIVAN: Can I follow on from the member for Mount Ommaney's question in relation to the broader fairness of it. How do you think punters, trainers and you as jockeys feel when you ride next to somebody who beats you and they have used a stay to avoid a suspension? How do you feel as a professional athlete in that regard when you think somebody is gaming the system and people who are backing your horse have ended up on the wrong end of the stick?

Mr Cassidy: That does not really come into it. I am not really ever thinking about that because I know one day that is going to be me in that other position. In relation to going to the 15 days, at the moment nine days is penalising the owner and the trainer. Without owners and trainers and people buying horses, racing does not go on. That is one thing I do not think about: 'You're riding under a stay and maybe if somebody else was on it you wouldn't have beaten me.' I would not think that would cross anyone's mind.

Mr Prentice: I can add to that. Since the introduction of the internal review system, I have personally probably assisted jockeys lodging upwards of I think over 400 internal reviews where they have got stays and blatantly abused the system just for the pure reason that they have been booked 14 days in advance. I have always said to jockeys, 'This system actually works for you,' so they could basically abuse that system.

There was a lot of kickback from jockeys to have the system reviewed back to an appeals panel when it was only a small minority—it was only about three or four—who had six and seven suspensions banked up. That is the only time I have ever encountered a jockey like Larry turning around and saying, 'I'm sick of this bloke being out there. Why is he still out there, because he's got seven suspensions totalling 70 days?' and they were taking them as court cases were called up. I only used Larry as an example. That is about the only time you would ever find somebody being cross with a jockey being out there because they have all been found guilty of careless riding and, as Larry explained, it can just be a minor shift. Sometimes they do not even know they have shifted but they have checked another runner who has lost two lengths of ground and disadvantaged them. I think the only time they ever get cross is with the ones who just blatantly keep doing it and abuse the system.

Mr SULLIVAN: Mr Prentice, I think you said there are four or five regular group 1 jockeys in Queensland. Does the Queensland Jockeys' Association have any statistics on what suspensions apply to those top-tier riders compared to the majority of jockeys in Queensland?

Mr Prentice: It is pretty much standard. If it is very minor, it starts at seven days, and it does not matter if it is a Larry Cassidy or the 50th best jockey in Queensland. If they have a bad record it increases, so they might get nine days. As a rule, a standard careless riding is somewhere between seven and 13 days. If they get 13 days, that means it is a bit harsher than minor and they have possibly got a bad record where they have had three suspensions in a year or something like that.

Mr Cassidy: Just to elaborate on that, I had not been suspended for 18 months and I got suspended about eight weeks ago. I think I got seven days. I did not even realise I shifted. It was so minor and I did not believe I should have been suspended. Obviously, I did not appeal it and just took my suspension because it was seven days. It worked out that I could get back to ride the horse that I wanted to ride. I ride regularly in group 1 races when they are up here. My record is probably one of the best up here, but I would say on average the records of most jockeys are reasonably good except there are probably three or four who have terrible records.

CHAIR: We are out of time. I thank you both for appearing before the committee. My dad was a mad keen punter of many years. He always liked a Larry Cassidy ride and was always on the phone account moments before they were about to jump. Thank you for appearing before us today. We are very grateful for your time.

GOSEWISCH, Mr Dan, EGM Legal and Policy/Board Secretary, Racing Queensland (via teleconference)

CHAIR: Welcome. Would you like to make a brief opening statement before we ask questions?

Mr Gosewisch: As a whole, Racing Queensland wholeheartedly supports the amendments to the Racing Appeals Panel process. They have been something which we have supported for a very long time and they will make sure that the process is quicker and gives more certainty around outcomes for everybody involved. Therefore, our comments in our submission were more technical in nature and just tried to pull out a couple of very small points where there were inconsistencies between our understanding of some words in the Racing Act and how that would operate under the legislation.

The first one is in relation to racing decisions that are the subject of the Racing Appeals Panel process. We have a fairly strange arrangement in Queensland where the Rules of Racing might refer to the PRA making a decision. The PRA, by definition, is Racing Queensland, but in fact by virtue of the legislation it is the Queensland Racing Integrity Commission that makes that decision and the Queensland Racing Integrity Commission makes its decision through stewards. We did want to suggest some clarifying wording just to make sure it was clear that, wherever the Rules of Racing have a PRA making a decision—and the PRA stands for principal racing authority—the PRA properly recognises that that will be a steward's decision and therefore that will be something that would come within the boundaries of this.

The second point that we wanted to clarify was around the exclusions. I do not think I need to go into that, but there are decisions that are covered by this new regime and there are also other matters which are not covered by the regime and we are happy with that distinction.

In relation to the appointments to the Racing Appeals Panel, we did have some comments. Again, because Racing Queensland is the control body and our understanding of the intention was that there wanted to be independence between the stewards and the implications of the racing appeal members being too aligned with the Queensland Racing Integrity Commission, we have suggested some wording to clarify that people who have previously worked for either Racing Queensland or the Racing Integrity Commission cannot be appointed to the independent panel. We have made some comments around who else cannot be appointed to the panel just to clarify along the same concept of who is part of a club, who is part of a licensee under the commission's mandate. We made further comment about whether or not someone should be able to be appointed to the panel if they had unresolved indictable criminal offences. Our view is that they would not.

In relation to the publication of stewards' reports, at present daily stewards' reports are provided to Racing Queensland by the Queensland Racing Integrity Commission and published on our website. We hold those stewards' reports on our website for many years. I looked back and I could find them for at least a couple of years. In relation to the provision where the stewards' reports would not be published by the commission after six months, we were a bit concerned about whether that would prevent us from publishing those reports on our website for the longer period of time.

Overall, I wanted to say that we are fully supportive of this legislation. These are just some technical amendments that we thought might provide a bit more clarity.

CHAIR: We have just heard from the Queensland Jockeys' Association. Their evidence to us was around the nine to 15 days. Could you give us your thoughts and comments on that?

Mr Gosewisch: Certainly. Racing Queensland supports the legislation as currently drafted. We do not have a firm view that the number of days needs to change. Obviously, we would defer to the members of the committee and parliament in relation to the final decision in that regard, but we do not see there being any particular issue with the nine days or that we would seek to push that as something that we would endorse for changing.

CHAIR: Would you suggest that if there was a change it would be better placed to be applied across all jurisdictions in terms of New South Wales and Victoria?

Mr Gosewisch: Definitely. It seems like it would be something that would help with the movement of jockeys between jurisdictions. A lot of jockeys from down south do ride in Queensland and vice versa, so more consistency across jurisdictions is something we aspire to.

Mr LANGBROEK: I am interested in Racing Queensland's views as to whether this legislation is going to improve the situation. QRIC originally was set up to do the disciplinary side of racing and Racing Queensland the administrative side, but because of one particular protracted case Racing Queensland had to get involved in barring a licensee from nominating for races. I am talking about the Ben Currie case. Does Racing Queensland anticipate that this legislation overall will keep that

separation in a more favourable way; that is, QRIC will be disciplinary and there will be less need for Racing Queensland, which is supposed to administer racing and the calendar, to have to invoke the powers that it can if needed, but hopefully rarely?

Mr Gosewisch: The case you are referring to is a few years ago now but it is one that I am familiar with. It did involve Racing Queensland exercising its powers not to accept the nomination of horses. It went before the courts at the time and the extent of our powers was affirmed in that regard. In terms of whether or not this legislation would avoid that outcome occurring again, that case very much turned on its own facts, so I do not know if we could draw broader implications from it. The legislation as drafted will definitely improve the speed of decisions generally in the way that stewards' decisions are implemented. The faster that happens, certainly the less need there would be for a protracted situation to involve Racing Queensland having to exercise some of its other powers. Separately those powers are there for a number of different reasons, not just as a backstop.

Mr DAMETTO: Can you please speak to the interaction between Racing Queensland and departments as part of the consultation process in putting this legislation together?

Mr Gosewisch: We were approached late last year by the Department of Agriculture and Fisheries for consultation in relation to the general outline of the legislation. At the time, we provided our support for the legislation with some comments. We recently received a copy of the draft legislation for the first time a few weeks ago; therefore, the comments in our submission were very much driven around having seen the precise draft of the legislation for the first time.

Mr SULLIVAN: Were you online listening to any of the previous witnesses?

Mr Gosewisch: I was online for part of the previous one, but not all of it.

Mr SULLIVAN: Does Racing Queensland have a view as to whether stays of suspension have been gamed by people to time it for quieter periods so they actually do get to participate in races when they otherwise would have been suspended?

Mr Gosewisch: That is not something that Racing Queensland considers. It is something that we have heard in conversation, but it is outside of our role to consider those sorts of issues so it is not something that we have a view on.

CHAIR: Going back to the stewards' reports, at the moment Racing Queensland has available on its website the daily stewards' reports that you receive directly from the stewards?

Mr Gosewisch: That is correct.

CHAIR: Thank you very much for your time today, Mr Gosewisch. We are very grateful for your views and your feedback.

That concludes questions. I note that no questions have been taken on notice in this morning's hearing. A transcript of these proceedings will be available on the committee's inquiry webpage in due course. I declare this public hearing for the committee's inquiry into the Racing Integrity Amendment Bill 2022 closed.

The committee adjourned at 11.06 am.