



Speech by

Mr JIM PEARCE

MEMBER FOR FITZROY

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RACING BILL

Mr PEARCE (Fitzroy—ALP) (3.09 p.m.): In rising to contribute to the debate on the Racing Bill 2002, firstly I declare my personal interest in the thoroughbred racing industry. My wife, Diane, has a one-third share in the lease of a four-year-old mare based in Rockhampton. The mare, which races under the name of Hermoine, is trained by Kerry Smyth. She has already won 16 out of 15 starts—

Honourable members interjected.

Mr PEARCE: She is a very good horse. She went around twice in one race. She has already won six out of 15 races and is certainly working her way up through the grades and showing a lot of promise. I do not think that it will be very long before Hermoine will be heading down to Brisbane.

An honourable member interjected.

Mr PEARCE: The minister backed it. I also hold a one-tenth share in the ownership of a yet-to-be-named colt by Kaaptive Edition. If this horse is half as good as it looks, it will be very good. I also have an association with a successful greyhound that has raced in Queensland but which now races in Adelaide that goes under the name of Fitzroy Jim. It was given that name because of the support that I had given to the local greyhound industry and a constituent of mine.

Mr Reeves: You should be proud of that.

Mr PEARCE: I am proud of the dog. In the Fitzroy electorate, there is one greyhound racing club in Rockhampton, along with the Rockhampton Harness Racing Club, the Rockhampton Jockey Club and the Rockhampton Amateurs Race Club. There are also six non-TAB clubs that hold race meetings throughout the year: the Bluff/Blackwater Amateur Race Club, the Dingo Race Club, the Duaringa Race Club, the Mackenzie River Amateur Picnic Race Club, the Middlemount Race Club and the Ridgeland Race Club. Given the number of clubs in my electorate and my personal interest in racing, I am sure that members can now see that I have a good reason to want to speak to this legislation.

In doing so, I will comment on some of the important provisions of the legislation. As well, I will raise an issue of concern on behalf of the racing industry in central Queensland which, despite seeking independence in the control of racing in Queensland, now has concerns as to what an independent board will do and what the board will claim to be in the best interests of racing in Queensland. There are some concerns about that.

As I see it, this legislation has been developed in response to the need to modernise the existing legislative framework so that the management and regulation of the racing industry caters for the future direction of that industry. Despite many amendments to the Racing and Betting Act 1980, it remains outdated and in need of simplification. That act will be repealed as a consequence of this legislation. Queensland must have a racing industry that has the confidence of the general public. The public must be confident that the integrity of those involved in the racing industry is unquestionable. The public must also be certain that the animals involved in the racing industry are not treated poorly. This legislation provides for that certainty of confidence in the management of this important industry. Certainty will be achieved through the way in which the policy objectives of the legislation are delivered.

The new legislation implements a number of key reforms that focus on control bodies, the role of a chief executive, the probity, integrity and accountability, and the responsibilities and obligation of a control body. The legislation will also remove the prohibition on proprietary racing. It also establishes a racing animal welfare and integrity board and a racing tribunals board. It maintains unlawful bookmaking and unlawful betting offences and includes those provisions of the repealed act that regulated racing bookmakers.

The legislation also includes provisions relevant to the already established Thoroughbred Racing Board and the Queensland Racing Council. It allows for the existing control bodies for the thoroughbred, harness and greyhound codes to continue as statutory bodies for a period of three years. During this three-year period, each of the codes will be required to form a corporation and seek control body approval.

Part 2 of the bill sets out how industry control bodies will manage and regulate the respective codes of racing. A corporation established under the Corporations Act can apply to be a control body. The credibility and integrity of the structure appears to be well covered by the provisions of this bill. I see the future success of the structure being more dependent on the knowledge and expertise along with the personalities of those persons who find themselves sitting at the various levels of the structure.

For the racing industry to be clean and free of corruption, there needs to be mechanisms for the making of rules and the enforcement of those rules. This requirement is addressed in part 3 of chapter 3 of the bill, titled 'Rules of Racing'. When a rule is actioned, it does not always mean that those enforcing the rules have it right. Those facing the consequences of penalties as a result of an indiscretion must have a mechanism by which they can appeal against that decision. Such a mechanism exists in the new legislation and is covered in the appeals under the rules of racing section. Where there is an obligation for a control body to have rules of racing that it believes are necessary for the good management of the code, the control body may establish an appeals committee that is effective, both cost wise and time wise, in dealing with some of the decisions of the stewards. Those matters that cannot be dealt with appropriately by the appeals committee can go to the Racing Appeals Tribunal.

This legislation calls for the minister to advertise for nominations for the appointment of suitably qualified persons to the tribunal before recommending a person to the Governor in Council for appointment. Clause 153 under part 1 states that a tribunal member must be a lawyer with at least five years experience. I think that is a very important aspect.

Chapter 10 of the bill, titled 'Repeal, Transitional Provisions and Other Provisions' provides for the repeal of the Racing and Betting Act while the transitional provisions of the racing section enables the three existing bodies to continue to function for three years after the commencement of schedule 1. This means that the Queensland Thoroughbred Racing Board, the Queensland Harness Racing Board and the Queensland Racing Authority will continue as the control bodies for their respective codes for three years. During that time, they must form a corporation and apply for control body approval.

Country racing has and will continue to provide significant recreational and social opportunities for rural communities. Country race clubs offer support to charitable organisations, local schools, hospitals, ambulances, et cetera from the moneys raised during race days and other social activities that go with it. It may not be the Melbourne Cup, but for those communities the local races are a major social event. All the work involved in running a race day is voluntary. These are decent people doing their bit for the community. The racing industry is far from just an idle pastime for people who have more money than sense. The racing industry is a fundamentally important element of our economy and, therefore, its administration and supervision should be of the highest standard.

Racing is so important that it is no overstatement to suggest that the good health of the industry is a major determinant of the state of the Queensland economy. So it is imperative that we remember that the industry is an industry that is important to all Queensland and not just to the south-east corner of the state. That is why I am pleased to see that the five geographical areas of the thoroughbred racing code represented by racing associations will be retained in this legislation and that they will continue to provide advice to the control body for thoroughbred racing. By retaining these racing associations, regional racing will have the opportunity for input into how country racing should be conducted. This input will be through the Queensland Regional Racing Council, which has been in existence under the repealed Racing and Betting Act 1980. The important issue here for country racing is the ongoing credibility of the process—ensuring that the representatives of country racing are doing what they are appointed to do, and that is to represent the people who support racing in regional and country Queensland. The process must be accountable, transparent and the issues put for consideration must be resolved with the best interests of racing being the driving factor in the outcome.

I would like to raise a concern that I have with the new control body, which I understand will be known as Queensland Racing, and what will happen when it commences to operate under the provisions of the legislation. I accept that it is probably not appropriate to make an assumption on how the new body will do business, but my constituents expect me to raise their concerns in this place,

because once the legislation is passed I will have no ability to have effective input into the decision-making process of the board. I do not have a problem with that. The position of the government will be that the control board is the control board. They will control racing.

Decisions affecting racing will be the sole responsibility of that board. That is okay. As I said, I do not have a problem with that, because the credibility and future of the racing industry in Queensland needs to be at a level that everybody respects. The decisions will rest solely with that board. It will be the industry board making decisions about the racing industry. My main concern is the future of country racing under the new control board and the potential impact on country racing as a result of decisions of the board.

Let me say again that I support the structure. It is the type of structure which is transparent and accountable and which has the powers to direct the racing industry in the right direction. The new board will be run as a business. I commend that business focus, because that is what is required if Queensland racing is to make up ground on racing in the southern states. The better prize money in New South Wales and Victoria as well as access to a wide range of races where horses can get a regular start in a suitable class and distance means that Queensland racing will continue to lose owners and trainers to the south. The cost of racing a thoroughbred is high because of those associated costs such as veterinary services and training fees. For Queensland to improve its position and be competitive with the southern states, the racing control board must be able to make changes to the way it allocates the pool of money made available by the TAB. The only way that can be done is to stop TAB monies allocated to the board from flowing through to the smaller country and regional clubs.

Our fear is that the new board will argue that it should not allocate prize money to clubs when they conduct non-TAB meetings. TAB venues should take a cut on race days. Because there is no return to the TAB, the body that provides the pool of money to the new control body, it could rightly ask, 'Why should we allocate money to a club that is giving nothing in return?' That is a fair business argument and a point that anyone would find difficult to challenge. We must accept that the impact of the withdrawal or cutback in prize money for country clubs will have a significant impact. I do not believe that the new control body will give two hoots about the impact of its decisions on country racing. The decision makers do not live in the country. They do not have an understanding of country racing. The members of the control body certainly will not be mixing with the country racing fraternity. There is no doubt that this will mean the forced closure of country race tracks. The flow-on effect to country towns would be immeasurable. Infrastructure will be left to rust and rot.

Mr Hobbs interjected.

Mr PEARCE: It is not about me being minister, it is about me telling this House what my constituents are telling me. I have an obligation to do that. What has been put in place is excellent. Do not try to put me on the spot for what I am saying. I am just doing what has to be done. Major social events where people of the region gather for an enjoyable time will cease. Charitable organisations such as the Royal Flying Doctor Service, the Helicopter Rescue Service, the Cancer Fund, local hospitals, ambulance services, et cetera will miss out on the opportunity to get money. These organisations will then lobby the government for additional funds to meet their charity day shortfalls and to help them continue to operate their important services.

I am concerned that, despite having the structure in place to ensure that country race clubs are heard, the new control body will be under no obligation to make decisions in favour of continuing with country race clubs. The control body will not be in favour of supporting country race clubs that hold non-TAB meetings, because these clubs are seen as a financial drain. The TAB believes that there is no point in supporting country people and I believe that it will cooperate with the new control body. Personally, I object to any organisation, whether it is the new control body or the TAB, suggesting that I or my fellow country Queenslanders do not support the Queensland racing industry, because we do it every day and every night of the week when we place a bet with the TAB. Any number of big punters live in country and regional centres across this state. I consider it fair and reasonable that the new board should ensure that country Queenslanders get a return on the dollars they invest in the state's racing industry through the TAB. We are contributing to the prize money pool. We are contributing to the profits of shareholders, and all we expect in return is a fair go.

I am the first to say that country racing can do better. There needs to be change and a more professional approach. I will not accept that the new control body should just start agreeing to a process that will force country race clubs to close. I will be looking to the new control body to make a difference. I encourage the incoming members of the board to work with country race clubs. Country people are decent, hardworking citizens. They all are Queenslanders who choose to live and work in the bush. It would be wrong to take actions that force the closure of country race tracks.

In conclusion, I shall read into *Hansard* a couple of letters from representative bodies of the three codes of racing in my area so that they know I have made representation on their behalf. A letter from the Rockhampton Harness Racing Club states—

The main problem facing the industry is lack of funding. It is my belief that this has been mainly brought about due to poker machines ... Harness racing in the northern centres has been struggling for survival for a number of years. However, the current approach by the harness racing board has seen an increase in the number of meeting for Rockhampton increased to 38. However, as stated above, unless more money is available for prize money at an industry level there is no way any club can predict the future.

A submission from the Rockhampton Greyhound Club states—

For main country clubs to flourish and introduce new participants, a new level of prize money needs to be adopted. The major centres are Townsville, Rockhampton and Bundaberg. At the Rockhampton complex the three codes need to amalgamate its resources and staff so as for the costing of wages and equipment is minimal.

I actually support that. I think we can do better in Rockhampton. The Rockhampton Jockey Club Committee letter states—

The Rockhampton Jockey Club Committee has read the bill and has raised no items for question. The club does raise the matter of the need for continued country racing at places like Mackay, Emerald, Thangool and Gladstone to support the future of racing in Rockhampton (both TAB and non-TAB race meetings). Also, the need for increased prize money to keep the owners and trainers viable and so as not to leave the racing industry.

As I said before, this is good legislation because it brings accountability to the racing industry, accountability that the public of Queensland want. They want to know that we have a credible industry in Queensland. I have raised some concerns about the decisions of the incoming board and how that may impact on regional Queensland. As an elected member, I have a responsibility to represent the views of the people in my electorate.
