




Speech By
Hon. Grace Grace

MEMBER FOR MCCONNEL

Record of Proceedings, 24 February 2022

RACING INTEGRITY AMENDMENT BILL

Message from Governor

 **Hon. G GRACE** (McConnel—ALP) (Minister for Education, Minister for Industrial Relations and Minister for Racing) (11.23 am): I present a message from Her Excellency the Governor.

Madam DEPUTY SPEAKER (Ms Lui): The message from Her Excellency recommends the Racing Integrity Amendment Bill. The contents of the message will be incorporated in the *Record of Proceedings*. I table the message for the information of members.

MESSAGE

RACING INTEGRITY AMENDMENT BILL 2022

Constitution of Queensland 2001, section 68

I, DR JEANNETTE ROSITA YOUNG PSM, Governor, recommend to the Legislative Assembly a Bill intitled—


A Bill for an Act to amend the Racing Integrity Act 2016 for particular purposes

GOVERNOR

Date: 23 February 2021

Tabled paper: Message, dated 23 February 2022, from Her Excellency the Governor, recommending the Racing Integrity Amendment Bill 2022 [198](#).

Introduction

 **Hon. G GRACE** (McConnel—ALP) (Minister for Education, Minister for Industrial Relations and Minister for Racing) (11.23 am): I present a bill for an act to amend the Racing Integrity Act 2016 for particular purposes. I table the bill, the explanatory notes and a statement of compatibility with human rights. I nominate the Education, Employment and Training Committee to consider the bill.

Tabled paper: Racing Integrity Amendment Bill 2022 [199](#).

Tabled paper: Racing Integrity Amendment Bill 2022, explanatory notes [200](#).

Tabled paper: Racing Integrity Amendment Bill 2022, statement of compatibility with human rights [201](#).

It is a pleasure to present the Racing Integrity Amendment Bill 2022, which amends the Racing Integrity Act 2016. As I said, I nominate the Education, Employment and Training Committee to consider the bill. I know they will do an excellent job considering this bill under the chairpersonship of the member for Redlands.

The Palaszczuk government is continuing its commitment to improve integrity in the racing industry, and I am pleased to announce that Queensland will have a new independent appeals panel as part of these reforms. The importance of the Queensland racing industry cannot be understated. The racing industry supports more than 12,600 full-time jobs and almost 40,000 participants. This includes more than 7,850 volunteers across all three codes.

It is amazing the growth in this industry and the manner in which we were able to support this industry because of our strong health response during the COVID-19 pandemic. We were in the thrust of that during the last two years and we are still not out of the woods. This industry, with the support of this government, has gone from strength to strength. I am proud as the minister, as is the former minister for racing, Minister Hinchliffe, of the manner in which the industry has been able to conduct itself and grow its business. The fact that the industry has gone from strength to strength is second to none in this country. We are very proud as a government to have provided that support, regardless of what is said by those opposite.

In addition to delivering thousands of jobs, racing also contributes—

Opposition members interjected.

Ms GRACE: I say to those opposite who are interjecting that they should look at the figures, look at the reports and ask the industry. What was delivered over the last two years was absolutely incredible.

In addition to delivering thousands of jobs, racing also contributes to the social fabric and wellbeing within our communities, especially in the regions. What a wonderful package the country racing package is. I have had people in the country say to me that it is the best package they have seen in the history of racing in this state. Recently one racing legend retired from their role and said—and I was very proud of this—‘You have been the best racing minister we have ever had.’

Anyone who has attended a race meeting from Birdsville to Cooktown can attest to this. This incredible industry brings communities and regions together. That is why the Palaszczuk government continues to back the racing industry.

This government has zero tolerance when it comes to animal cruelty. The 2015 ABC expose on the use of live baiting to train racing greyhounds was absolutely abhorrent. We were all distressed by the images we saw. That is what was delivered to us in 2015 when we won government from the previous Newman government. The Palaszczuk government acted swiftly, announcing the Queensland Greyhound Racing Industry Commission of Inquiry, known as the MacSporran review, and accepted all 15 recommendations made, initiating 75 activities to support their implementation.

One of the most significant recommendations was the establishment of an independent statutory body—the Queensland Racing Integrity Commission, known as QRIC. The QRIC model is unique to Queensland, creating a clear separation between the integrity and commercial activities in the racing industry. I would like to officially welcome new Queensland Racing Integrity Commissioner, Shane Gillard, and Deputy Commissioner Natalie Conner. I was very pleased to have visited the QRIC offices last week and hear about the strategic plans they both have for the commission and the industry. They are stakeholder engaging. The commissioner has made comments that he believes our model is a superior model. I know that they will do an excellent job. I welcome them both to their new roles.

The commission does a fantastic job at safeguarding the welfare of racing animals and maintaining public confidence in Queensland Racing. The turnaround in the greyhound industry has been immense. The regulation of that industry will hopefully never see repeated what we saw in 2015. QRIC does this by providing a number of services to the industry including stewards to support race day operations. The member for Everton, Tim Mander, would know that stewards are like referees of the racing industry on the day.

An honourable member interjected.

Ms GRACE: I take the interjection. I am sure they will be very happy to hear that. I know that he said that in jest, that they are not as intelligent as referees of Rugby Union—Rugby League, sorry! That was a Freudian slip.

It also includes the licensing of participants, conducting animal welfare and compliance checks, and testing for prohibited substances through their Racing Science Centre. I commend the work of the Racing Science Centre, which is part of QRIC. Often when comparisons are made about costs in this industry, they ignore the model that we have here in Queensland. It is impossible to compare what happens down south in the manner in which they do it where we have it all together with QRIC—and we are streets ahead! There is no doubt about that.

As part of race day operations, stewards are on track to monitor the rules of racing. Where a steward believes a breach has occurred, they will issue a decision which often includes a penalty. Under the current model, an aggrieved person can then seek an internal review of a steward’s decision, followed by external review by the Queensland Civil and Administrative Tribunal, known widely as QCAT.

Since these arrangements commenced, many in the racing industry have identified concerns with the operation of the review process, including: a perceived lack of independence from the commission—I emphasise the word 'perceived'; the time it takes for matters to be heard—and I share that concern; the lack of industry knowledge in QCAT; and that industry participants were exploiting a loophole by using stays to continue to ride through lucrative race periods while waiting for their matter to be heard.

The Palaszczuk Labor government listened to the industry's concerns and undertook a thorough review of this act and its operations. This resulted in the government signalling its intention to establish a new model. Extensive consultation was undertaken throughout 2021 which highlighted the need for an expert panel that was fully independent of the commission. The industry wanted a system that allowed for a review of a decision to be undertaken in a similar way to other professional sports. For example, in the professional football codes, such as the NRL, disciplinary matters are generally resolved within 72 hours of an original decision.

We have looked at this through the lens of this being the referee of the industry. You do not see someone who has been penalised, say, for a high tackle or a spear tackle or some dangerous type of play on the field, if the penalty has been upheld, running on the field the next day or the next week. The matters are decided quickly by experts and the decision is then either upheld or the penalty reduced—whichever is the outcome.

Other Australian jurisdictions provide this type of system, with rapid and independent reviews of stewards' decisions by a specialist body. These jurisdictions also limit grounds for further review. This is in no way a reflection on QCAT. It is rather an acknowledgement of the need for industry expertise and importance of timeliness when reviewing a steward's—dare I say a referee's—decision.

As a result of this consultation, in December last year I announced our intention to introduce legislation to create a new model for the reviews. This bill will establish a new independent Racing Appeals Panel that will replace all current internal reviews and limit external reviews by QCAT. We have also considered the best structure for the new panel. Based on feedback, the panel chairperson will be required to have at least five years legal standing. This ensures questions of law are considered in every review decision.

Even in simple matters, the panel chairperson will be able to call upon an additional two panel members with industry experience to sit if required. The additional two panel members will be selected from a panel of persons with racing and/or other relevant expertise such as veterinarians, racing scientists, industry representatives and relevant associations. All panel members will be appointed by the Governor in Council on recommendation of the minister—myself.

The outcome of these reforms will be a system which will see most reviews of stewards' decisions finalised in a reduced time. Under the bill, applications for review by the panel must now be lodged within three business days. It is my understanding that the norm is generally that when a penalty is given by stewards it is appealed, if the person wants to, almost immediately. Three business days gets the appeal in and heard quickly. Most decisions must then be reviewed by the panel within seven business days. In more serious cases, the panel must finalise its review within 20 business days. This is a significant improvement in the time frames the industry is currently experiencing.

Another significant change is limiting the matters that can be referred to QCAT after the panel has made a review decision. Appeals relating to stewards' decisions can only be made to QCAT's appeals jurisdiction in respect of the severity of penalty. This will only be available in circumstances where the panel's final penalty is three months or greater. Importantly, these changes apply only to stewards' decisions. All other decisions retain their current appeal rights and processes. In other words, QCAT will not review whether or not an offence has been committed. It will only consider whether the action taken by stewards, such as a suspension or cancellation of a licence or warning someone off a racetrack, was manifestly inadequate or excessive.

Another important integrity reform will be the changes to QCAT's ability to grant stays. Under the new model, stays will not be available if the panel has determined that a breach involved a serious risk to animal health or welfare, human safety or the integrity of racing. This will now be considered and determined at the panel level.

This amendment is critical to directly address industry concerns that repeat offenders were taking advantage of the current system by seeking a stay of a steward's decision, for example, in order to continue riding during lucrative race day periods. I go back to the NRL where if someone is found guilty of a spear tackle they do not go to a tribunal, ask for a stay and then play the following week. Generally, it is heard quickly, it is heard independently and the penalty sticks, and this is the manner in which we believe we should go forward. Directly prohibiting stays in certain circumstances will protect, in our strong view and in that of the stakeholders, the integrity and reputation of the industry.

The bill also makes a number of unrelated minor amendments to the Racing Integrity Act. The publication of stewards' reports is important for transparency within the industry. Accordingly, the bill will expressly authorise the publishing of stewards' race day reports and investigation reports. In addition, the bill authorises the publication of elevated readings of total carbon dioxide and prohibited substances when these are measured for a horse.

The bill also removes redundant provisions relating to collection of a bookmaker's fingerprints and limits the time a bookmaker's clerk can act as an agent due to temporary incapacity to not more than 12 weeks each year. This aligns with the maximum time QRIC may authorise a person to act as an agent on other prescribed grounds.

The bill also clarifies that, whenever a bookmaker is taking bets through a telecommunications system, that system must be approved by the commission. An approved telecommunications system is already required when a racing bookmaker is taking bets from a person who is not present at a licensed venue.

The amendment clarifies that an approved telecommunications system is required when a bookmaker is taking bets and the bookmaker is not at a licensed venue. It just clarifies and streamlines that part of the act. This approval ensures that the telecommunications system is of a standard to protect the integrity of bets made and the money and the privacy of persons placing bets, which is an important part of this industry. The bill also clarifies that the minister can delegate power to the Racing Integrity Commissioner to deal with off-course approval applications and allows for any necessary amendments of these approvals. The bill will make it an offence to influence witnesses or experts who are participating in an audit or investigation. Finally, the bill makes minor amendments to several sections of the Racing Integrity Act to ensure that it is compatible with the Human Rights Act 2019.

As I said at the beginning, the Palaszczuk government is a government that listens and acts. We make no apologies for continuing reforms to improve integrity in the racing industry. We will monitor the performance of the new independent Racing Appeals Panel and, if necessary, make further improvements if required. On that note, I wish the racing industry all the very best in 2022. I know we are not out of the woods yet in relation to COVID-19; however, it is going to be an exciting year for racing in this state. I commend the bill to the House.

First Reading

Hon. G GRACE (McConnel—ALP) (Minister for Education, Minister for Industrial Relations and Minister for Racing) (11.41 am): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to Education, Employment and Training Committee

Madam DEPUTY SPEAKER (Ms Lui): In accordance with standing order 131, the bill is now referred to the Education, Employment and Training Committee.

Portfolio Committee, Reporting Date

Hon. G GRACE (McConnel—ALP) (Minister for Education, Minister for Industrial Relations and Minister for Racing) (11.42 am), by leave, without notice: I move—

That, under the provisions of standing order 136, the Education, Employment and Training Committee report to the House on the Racing Integrity Amendment Bill by 8 April 2022.

Question put—That the motion be agreed to.

Motion agreed to.