




Speech By
Patrick Weir

MEMBER FOR CONDAMINE

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RACING INTEGRITY AMENDMENT BILL

 **Mr WEIR** (Condamine—LNP) (12.55 pm): I rise to make a contribution to the debate on the Racing Integrity Amendment Bill 2022. The Racing Integrity Amendment Bill was introduced into the chamber by the Hon. Grace Grace, Minister for Education, Minister for Industrial Relations and Minister for Racing, and referred to the committee on 24 February 2022. As stated by the shadow minister, the LNP will not be opposing this bill.

According to the explanatory notes, the main policy objective of the bill is to reform the review process for decisions made by stewards under the rules of racing by replacing the current internal and external review process for decisions made by racing stewards under the rules of racing with a review by an independent panel; ensuring reviews are finalised within a reasonable time frame; and reducing serious welfare, human safety or integrity risks from being stayed pending hearings of an appeal by the Queensland Civil and Administrative Tribunal. An additional policy objective of the bill is to provide for the publication of stewards' reports and other reports online. The explanatory notes state that the amendments are required to clarify and ensure compliance with the Information Privacy Act 2009 by authorising the publication of prescribed reports.

The Queensland Racing Integrity Commission employs stewards to oversee race meetings and applies the rules of racing for each code. Under the Racing Integrity Act, a person can seek an internal review of a steward's decision and then external review by QCAT. Industry participants and the community expressed concerns about the system of review of stewards' decisions undermining confidence in the integrity of the industry, particularly in relation to a perceived lack of independence of QRIC's internal review process; dissatisfaction with the level of racing expertise at QCAT in its role in external reviews under the Racing Integrity Act; the average time taken for QCAT to consider reviews of more than 200 days, which is just absolutely disgraceful; and assertions that stays were being used to enable offenders to continue racing, despite serious and/or repeated breaches of the rules of racing, until it was convenient to accept the penalty.


The bill establishes an independent panel, the Racing Appeals Panel, to review decisions of stewards under the rules of racing and introduces procedures for the review of racing decisions by the panel, for applications to the panel for stays of racing decisions and for appeal of panel decisions. The bill provides that applications for review by the panel must be made within three business days after a person is given notice of a racing decision. The panel must finalise its review of an application within seven days, unless the review is of a decision to take disqualifying action, in which case it must be finalised within 20 business days.

Appeals of panel decisions to the QCAT appeals tribunal are proposed to be available only for reviews of disqualifying actions and only on a question of law relating to the extent of the disqualifying action. We have had some terrible examples of cases dragging out for extraordinary periods of time. The Toowoomba Turf Club had probably one of the most well known ones in this state. It dragged on for an absolutely unacceptable period. It does nothing for confidence in the industry when that happens.

The bill includes amendments to clarify and ensure compliance with the Information Privacy Act 2009 by authorising the publication online of stewards' reports and other reports of detection of prohibited substances.

All submitters to the inquiry supported the bill's objective to establish an independent panel to review decisions made by racing stewards under the rules of racing. The bill provides a procedure for the panel to review racing decisions made by stewards. Some submitters expressed concern as to what would be termed 'a racing decision'. A racing decision is defined as 'a decision of the steward under the rules of racing', as opposed to under section 252AA. Racing Queensland also noted that the definition of 'a racing decision' in the bill means that not all stewards' decisions are subject to review by the panel, such as decisions under the RI Act to refuse a licence to a person or to make an animal welfare direction. The committee made a recommendation that the minister in her second reading speech clarify the definition of 'a racing decision'.

The proposed amendments will place a limit on appeals to QCAT. This would mean that a person may appeal to the QCAT appeals tribunal against the panel's decision only on a question of law relating to the extent of the disqualifying action.

 **Mr WEIR** (Condamine—LNP) (3.04 pm), continuing: The committee recommended that the minister in her second reading speech clarify the intended meaning of 'extent' in clause 24 in response to concerns raised by the Queensland Law Society. The bill authorises publication of stewards' race day reports on the QIRC website and provides that the information must be removed from the QIRC website six months after the day the information was published, or if it relates to a disqualification action, no later than the day the effect of a disqualification ends. The Coalition for the Protection of Greyhounds noted that a broad spectrum of stakeholders were concerned about the provision, explaining that for punters and breeders, stewards' reports contain a dispassionate observation of what has occurred in a race and that when a breeder is making breeding decisions the racing behaviour of the dogs and their racing record is very important.

Another committee recommendation was that the minister in her second reading speech clarify the time frames intended to apply for the publication of the stewards' reports. Several issues were raised by submitters about eligibility for the appointment to the panel as proposed in the bill. Proposed section 252BD, Eligibility for appointment, states—

A person is eligible for appointment to the panel.

If—

- (a) for appointment as the chairperson or a deputy chairperson—the person is a lawyer of at least 5 years standing; or
- (b) otherwise—the person has professional experience in 1 or more of the following areas—
 - (i) chemistry relating to animals;
 - (ii) law;
 - (iii) racing;
 - (iv) veterinary science.

...

However, a person is not eligible for appointment to the panel if the person—

...

- (c) has a financial or proprietary interest in a licensed animal;

The department acknowledged that making a person ineligible for appointment to the panel if they have a financial or proprietary interest in a licensed animal will reduce the pool of persons with relevant expertise who are eligible for appointment. It would be interesting for the minister to clarify that because, as we know, today there are huge groups of people who own horses, particularly those more expensive animals that may be racing in the major races in Sydney, Melbourne or the Winter Carnival here in Queensland. There can be up to 50 people as part owners of a horse. It is only a small part of that animal they own, but that would exclude them from holding a position on that panel. I ask the minister to give some clarity around whether it is a sole ownership or a small portion of the animal that would rule them ineligible.

The Condamine electorate is home to a large thoroughbred industry and a vibrant racing community. This generates a significant amount to our economy—in fact, over \$1 billion statewide, with over \$50 million in the Darling Downs region. The industry includes breeders, trainers, owners, jockeys, stable hands, racing club staff, livestock transport, agistment operators, gardeners, vets, catering staff

and a host of volunteers. All of these people contribute to this valuable industry. The smaller communities in Condamine depend upon the one race day they have each year to raise money for the local community, socialise and bring people together. It is the social fabric of our rural and regional communities.

It is disappointing for the racing industry that the government has taken almost four years to address the concerns stated by the industry. We are hopeful that the changes to review processes in the bill will be implemented as soon as possible and do not drag on for years. One would think that addressing key industry concerns would be a priority of the government. Those opposite seem to have difficulty with any integrity legislation that comes before this House.

My family has had a long involvement in the racing industry. My grandfather used to breed and race horses. The family has owned horses trained by the late, great Jimmy Atkins, a legend of the industry. I had an uncle who was a bookmaker. We have been involved in every aspect of the racing industry over a long period of time. The integrity of the industry is paramount. We support this bill. It is long overdue.