

THOROUGHBRED RACING CONSULTATIVE GROUP (TRCG)

MINUTES OF THE MEETING HELD ON FRIDAY 11 NOVEMBER 2011  
RWWA OFFICES, 14 HASLER ROAD, OSBORNE PARK

1. OPEN MEETING

The meeting opened at 11:04am

2. PRESENT

|                   |   |
|-------------------|---|
| Mr Robert Pearson | RWWA Director (Meeting Chairman)                |
| Mr Richard Burt   | RWWA CEO  |
| Mr Ken Norquay    | RWWA General Manager Racing                     |
| Mr Denis Borovica | RWWA Acting General Manager Integrity           |
| Mr Brad Lewis     | RWWA Chief Steward - Thoroughbreds              |
| Mr David Hunter   | RWWA Manager Thoroughbred Racing                |
| Mr Ted van Heemst | Chairman WATC ( <i>Perth Racing</i> )           |
| Mr Lex Piper      | Vice Chairman WATC ( <i>Perth Racing</i> )      |
| Mr Michael Heath  | CEO WATC ( <i>Perth Racing</i> )                |
| Mr Kevin Scott    | President CRA                                   |
| Mr Grant Burns    | WABBA Delegate                                  |
| Mr Bruce Hyde     | President WARTA                                 |
| Mr Robert Howat   | President WABA                                  |
| Mr Craig Staples  | President WAJA                                  |
| Mr Tim Gregory    | WAROA Delegate ( <i>proxy for Mr McAullay</i> ) |

APOLOGIES

|                    |                         |
|--------------------|-------------------------|
| Mr Tony Marwick    | Chairman WAPTRA         |
| Mr Darren McAullay | Executive Officer WAROA |

The Chairman welcomed all delegates to the meeting and recognised the apologies of Mr Tony Marwick (WAPTRA) and Mr Darren McAullay (WAROA).

The Chairman welcomed Mr Tim Gregory (WAROA) as proxy for Mr McAullay and Mr Denis Borovica (RWWA AGMI) to their first meeting.

3. CONFIRMATION OF PREVIOUS MINUTES

3.1 Meeting held 5 August 2011

The Minutes of the previous meeting held on 5 August 2011 were confirmed for the Chairman's signature.

4. MATTERS ARISING FROM PREVIOUS MEETING

4.1 Action List

Nil.

At this point the Chairman suspended standing orders to allow RWWA CEO to make a statement pertaining to the resignation of John Zucal and the allegations against Mr Phil O'Reilly.

RWWA CEO acknowledged the correspondence in support of Mr Zucal received from the following:

- Western Australian Jockey's Association
- Western Australian Racehorse Owners' Association
- Country Racing Association
- Dixie Solly

RWWA CEO gave a brief overview of the events of the incident on October 6 involving Mr Zucal, and how serious the Board and CEO had felt the actions following the incident had been. Noting that had the incident been brought before the Integrity Assurance Committee there was the likelihood that termination could have been the resulting outcome.

RWWA CEO reiterated that Mr Zucal had not been forced to resign as per the rumour that had been circulating, however considering the seriousness of the situation when Mr Zucal tendered his resignation the Board and RWWA CEO made the decision to accept it.

RWWA CEO noted that in spite of the media speculation, RWWA's point of view in regards to Mr Zucal has not changed and he is still held in a very high regard.

In regards to the matter relating to the allegations against Mr Phil O'Reilly, RWWA CEO advised that RWWA would support Mr O'Reilly as an employee of RWWA, as any employee of RWWA would be afforded the same adherence. However any allegations of misconduct would be investigated. RWWA CEO noted that the media reports in regards to the incident had been misconstrued and defamatory and RWWA would be taking legal action to have defamatory comments removed and an apology issued.

The Chairman advised that the decision to accept Mr Zucal's resignation had been an agonising one which had not been taken lightly and the correspondence received would be tabled at the next Board meeting.

## 5. ITEMS SUBMITTED BY RWWA

### 5.1 Wagering Performance

The wagering performance was noted.

### 5.2 Thoroughbred Strategic Plan - Update

GMR referred to the October Strategic Plan Update published in the October edition of the Racing Ahead Magazine and elaborated on the following points:

- *Tax Seminar* – the tax seminar held at Ascot on Wednesday 9 November was successful with 50 attendees.
- *Manager Racing Strategy Communications* – Charlotte Mills is currently on maternity leave. Pippa McIntosh is her replacement; handling the media, communications and strategy. David Hunter will be overseeing distribution in Charlotte's absence.

### 5.3 Club Circulars Distributed Since Last Consultative Group Meeting

GMR referred to the report summarising the Club Circulars that have been distributed since the last TRCG Meeting held on 5 August 2011.

### 5.4 ARB Directors' Meeting held in Melbourne on 18 August 2011– Briefing Notes

The Chairman referred to GMR's briefing notes and spoke to the following major issues:

#### *AI Court Case*

The hearings have been concluded, with final submissions due in December. The final verdict was expected between June and September 2012. There would likely be an appeals process to follow. The concern was should the ARB win the case, whether McHugh could cover the court costs.

#### *AUS PC – ASIAN PC*

It was noted that the powers awarded to the ASIAN PC were worrying. It was also noted that had the Winterbottom Stakes not been upgraded to Group 1 status this year, it would not have succeeded in gaining this status in the future.

#### *Minimum Weights*

Whilst RWWA officials did not support the increase in the minimum weight, the motion was passed and the minimum weights were increased.

Mr Staples (WAJA) advised that the WAJA were against the increase, with concern being the higher weight at country tracks.

Mr Van Heemst (WATC) noted that it could possibly destroy the opportunity to have horses improve through the grades.

### 5.5 Integrity Year End Report

Mr Borovica (RWWA AMI) referred to the report and advised that it was essentially a 'health check' of the integrity of racing in WA. Mr Borovica advised that the Stewards are proud of the results and that the industry should be proud of the results also.

The Chairman noted that the Board had felt that the industry should be made aware of the sound nature of the integrity shown in WA racing.

## 6. ITEMS SUBMITTED BY REPRESENTATIVES

### 6.1 Minimum Safety Standards for Racetracks in WA in Relation to Inside/Outside Railing – WAJA

GMR advised that he was currently working with Mr Borovica in regards to expediting the installation of new plastic running rail at 6 proposed race clubs and the Lark Hill Training Complex. Requests will be made to the Minister's office for additional funding to assist with this process.

Should the funding be available to install the new rail at 5 of the proposed clubs, there should be sufficient aluminium railing then available to supply the country clubs that are currently without inside railing.

Outside fencing would still remain a requirement of the clubs; however they could make an application for funding through RIGP for 50% assistance.

Mr Staples (WAJA) noted that WA was the only State that held professional races without inside railing.

Mr Scott (CRA) was advised that the clubs that are currently without inside railing, such as Leonora and Laverton, would be receiving the inside railing that would become surplus with the installation of the new railing at the proposed clubs.

## 7. OTHER BUSINESS

### 7.1 Items Arising From Recent Board/IAC/Racing Operations Committee (ROC) Meetings

Nil

### 7.2 New Occupational Health and Safety Legislation

RWWA CEO advised that the Federal Government's new OHS harmonisation laws would come into effect on 1 January 2012. These new laws will be hazardous for WA racing, with race tracks coming under scrutiny. Difficulty lay in the model of amateur race clubs, with the committee being forced to assume legal liability, leaving the potential for the committee structure to unfold.

RWWA CEO noted that when conducting race meetings, the ability to differentiate where RWWA and the hosting club had accountability was going to prove difficult. Stewards inspections would be conducted, however advice given would need to be complied with.

The question was raised whether the Stewards would be accredited and could they be held accountable if there was an accident, and it was deemed to be an act of negligence in allowing the meeting to proceed. RWWA CEO noted that there was substantial work to be carried out to accredit staff members, not just stewards.

There will be the provision to employ a safety officer to ensure that compliance with safety standards was being met. However the safety officer would need to be practical and have an understanding of racing and its risks. Whilst it is in the best interests of the industry to make it safer, there was no way to eliminate all risks from racing.

RWWA CEO reiterated that RWWA did not have an agenda to close country racing and was not using this as a reason, in fact would take a 'lead role' in addressing the issues with the industry.

Mr Heath (WATC) noted that the infrastructure cost to make race clubs compliant was to be astronomical and queried if there was to be more leniencies towards an increase in funding.

RWWA CEO advised that RWWA will be providing some funding and will be assisting race clubs throughout the process.

Mr Heath indicated the need to advise the industry that this was not a directive from RWWA or Perth Racing, but was in fact an effort to be compliant with the new legislation.

The Chairman noted that the new legislation would have ramifications for RWWA and not just the race clubs alone.

There were some concerns raised in regards to the industry participants' reactions to Work Safe or similar authorities and their demands for compliance, whether this could have a negative reaction.

The Chairman advised that whilst there would be negative implications for the racing industry, there was no choice but to work within the new laws and in the most cost effective manner.

### 7.3 Debt Recovery

Mr Hyde (WARTA) advised that Mr Borovica (RWWA GMI) and Mr Lewis (RWWA CST) had attended a recent WARTA meeting to discuss the issue of debt recovery for trainers. Whilst WARTA was aware that the role of RWWA was not to act as a debt collection agency, they appreciated any assistance that could be provided.

Mr Borovica noted that this was not a new issue that had arisen, and in the past the stewards had intervened and tried to assist recovering costs. However there was no support via the Rules of Racing, and there were contentious issues such as verbal contracts etc that made it difficult for the stewards to assist.

### 7.4 Barrier Attendants

Mr Heath (WATC) advised that there was a growing view that the best practice for supplying barrier attendants would be to employ a professional crew to attend meetings.

GMR noted that currently this was the jurisdiction of clubs to provide barrier attendants, however certain services are provided such as judges, starters etc by RWWA, but at a cost to the clubs.

Mr Van Heemst (WATC) concurred with GMR and advised that PR were also funding the barrier attendant fees, even though RWWA took control on race day in other areas. The suggestion to hire a professional crew had arisen previously, however it had offended previous management. Mr Van Heemst cited that the level of professionalism was lacking with the current set up.

GMR again noted that RWWA was in control of judging, clerk of scales etc and the barrier attendants would be an extension of this.

The Chairman noted that action needs to be taken urgently to curb the possible outcry of animal activists from the manhandling of animals behind the barriers. GMR, Mr Borovica and Mr Lewis will convene to discuss this issue.

**NEXT MEETING**

To be advised.

**8. CLOSE OF MEETING**

The meeting closed at 12:10pm.

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**CHAIRMAN**

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**DATE**