

ANNUAL REPORT
2019-2020

VICTORIAN
RACING
INTEGRITY
BOARD



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Victorian Racing Integrity Board

LETTER OF TRANSMITTAL

Date 5 September 2020

To The Hon Martin Pakula MP, Minister for Racing

Dear Minister

I am pleased to provide you with the inaugural annual report of the Victorian Racing Integrity Board for the year ending 30 June 2020, for tabling in Parliament.

As required under s 95T of the Racing Act 1958, the report describes the board's activities in its first 11 months of operation since its establishment on 1 August 2019, including the performance of its statutory functions and engagement with the Victorian racing industry.

I hope that this report will help to inform the Parliament, controlling bodies, thoroughbred, harness and greyhound racing industry participants and the Victorian community about the board's oversight and advisory roles under the Act.

Yours faithfully

A handwritten signature in black ink, appearing to read 'J. Forrest', with a stylized flourish at the end.

The Hon Jack Forrest QC

Chair

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MESSAGE FROM THE CHAIR

The first year of VRIB has been both challenging and rewarding.

Establishment

As of 1 August 2019, the board comprised nine appointees assisted by a staffer from the Office of Racing who was also involved in other racing integrity tasks. Fortunately, her experience enabled the board to slowly find its feet. Board processes were developed and implemented to enable us to deal with our mandatory functions, generally satisfactorily.

In January 2020, Elissa Watson was appointed as the executive officer of the board. She is assisted by a part-time administrative assistant. Their contribution has been immense in enabling the board to meet the demands of its statutory charter.

Mandatory functions

VRIB's tasks can be divided into two categories. The first comprises a series of mandatory tasks including its primary function to ensure that racing integrity officials can undertake their important roles without interference from their respective controlling bodies. It is pleasing to note there was only one actionable complaint during the year and that was resolved without any further VRIB action being necessary.

Despite the challenging circumstances caused by COVID-19, each of the controlling bodies submitted their integrity plans and budgets on time enabling VRIB to review each plan individually and then jointly. Each of the plans was endorsed by the board with a number of tri-code recommendations proposed which remain the subject of ongoing consultation.

Promotion of cross-code or Victorian racing industry collaboration with the development of common practices.

The deputy chairs have dealt expeditiously and effectively with the review of proposed new and amended rules of racing and have made recommendations to the controlling bodies.

Policy functions

Our second task category is that of policy review and recommendation. The board is acutely conscious that it should be both constructive and selective in this area. Each of the Victorian racing industry controlling bodies has well established and generally effective integrity practices in place. The independent Racing Integrity Commissioner exercises a supervisory role within his statutory charter. It is important, therefore, that VRIB does not add to the workload of the controlling bodies' integrity departments, except where necessary and that recommendations are just that.

VRIB sees its primary role in this area to be promotion of cross-code or Victorian racing industry collaboration with the development of common practices. Our objective, as far as is practicable, is to ensure that each controlling body maintains consistent industry practice which, hopefully, will enhance ongoing identification and management of integrity risks.

VRIB spent considerable time reviewing the controlling bodies' existing integrity policies and practices, as well as past recommendations made by the Commissioner, and the reports of other industry experts commissioned by the codes and/

or government. As a result, we have resolved to undertake a number of initiatives which are, or will be, the subject of specific recommendations to the Victorian racing industry. In part, these are directed to recommencing or advancing industry practices which have lapsed or not been advanced in recent years. The board's initiatives are detailed in the third part of this report.

Training for integrity officials

One example of this approach is illustrative. There is no formal accredited Victorian racing industry training program for integrity officials notwithstanding that the development of a tri-code course has been the subject of recommendations arising from four separate industry reviews since 2008. Training and certification not only enhance skills and expertise of individual integrity officials but also play an important role in developing capability across the industry. It is therefore vital that stewards and integrity officials obtain independent certification of their skills and are provided with continuing education. Over the coming months VRIB will sponsor a steering committee to facilitate the development of a program based on the existing but unused national framework for Certificate IV racing integrity courses.

Animal welfare

There is one other area that should be mentioned. Following considerable internal discussion and external sounding over the last year, VRIB determined that its legislative functions do not extend to the oversight of animal welfare issues unless they relate to racing integrity. This means that it has no jurisdiction to review, oversee or make comment about welfare issues that do not

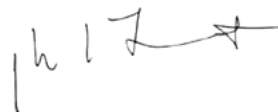
involve racing integrity including – for example, the breeding and care of young animals or their care in post-racing life.

In making this decision, VRIB had particular regard to the 2018 amendment to the *Racing Act 1958* which gave the Commissioner the power to “conduct audits of the internal animal welfare processes and systems of each controlling body to the extent to integrity in racing” under s 37B(1)(ba), and the absence of any express or equivalent provision in VRIB’s functions under Part IVB of the Act.

VRIB has been afforded a high level of cooperation by the codes’ executive teams and integrity officials

Victorian racing industry co-operation

Finally, I am pleased to report that VRIB has been afforded a high level of cooperation by the codes’ executive teams and integrity officials. Also, particularly satisfying has been the close and productive relationship forged with the Office of the Racing of the Integrity Commissioner.



The Hon Jack Forrest QC
Chair

MESSAGE FROM THE EXECUTIVE OFFICER

I have pleasure in presenting my first report as VRIB's executive officer, after officially commencing in the role in January 2020.

Being the inaugural executive officer of a newly established independent statutory entity has been simultaneously an extraordinary opportunity and rewarding challenge.

From the beginning, my focus has been to provide strategic advice to the board to enable it to perform its functions and exercise powers under Part IVB of the *Racing Act 1958*.

At our planning day in early February and subsequently, we examined the controlling bodies' legacy integrity materials and industry reports spanning the last decade. This informed VRIB's methodology for the review of the annual integrity plans and budgets. Consistency with existing public sector guidance and best practice was key and our approach also referenced the Victorian statement of expectations framework for regulators.

To achieve compliance with the *Public Administration Act 2004*, the board developed and implemented a range of governance policies and processes over the course of the year. The creation of an annual board calendar and business plan also allowed VRIB to establish a work program that prioritised its performance of key statutory functions whilst maintaining business as usual.

Behind the scenes, we invested our energy in creating a secure records management framework to meet our evolving needs into the future. With the support of the Department of Jobs, Precincts and Regions, we acquired temporary accommodation and the use of facilities to conduct board business. Plans are afoot to move to independent premises once we can safely return to the office.

The onset of COVID-19 brought unexpected challenges as new relationships were established remotely. However, I am fortunate to work with a highly skilled and knowledgeable board who have readily shared their expertise. I recognise the valuable support and advice of VRIB's chair, The Hon Jack Forrest QC.

I also acknowledge the Office of Racing for the role it played in setting up the board and its ongoing assistance.



Elissa Watson
Executive Officer

YEAR AT A GLANCE

VRIB's key activities in its first 11 months of operation

2019

July

- Victoria's Minister for Racing announces 9 appointments to VRIB, including Jack Forrest as chair, Peter Young, Jacqui Billings and Dayle Brown as deputy chairs, and Bryan Gurry, Hayden Opie, Kate Savage, Amelia Lynch and John Barrett as members

August

- VRIB established on 1 August and board members commence roles
- Logo and brand design developed

September

- VRIB holds its inaugural meeting
- Charter approved and board determines its complaints jurisdiction does not have retrospective application prior to 1 August

October

- VRIB enters memoranda of understanding with each of the controlling bodies
- Board portal goes live

November

- Minister of Racing appoints Elizabeth Clarke as deputy chair following resignation of Dayle Brown to take up chief executive officer role at Harness Racing Victoria

December

- Chair, deputy and executive officer meet with the Harness Racing Victoria integrity department staff, integrity head and chief executive officer
- Racing Integrity Commissioner accepts invitation to attend VRIB meeting to present an overview of his powers and functions and share insights about how the parties may work together

2020

January

- VRIB seeks input from the controlling bodies about its strategic priorities and policy initiatives for the coming year
- Chair meets with Racing Victoria integrity department staff
- Executive officer officially commences

February

- VRIB determines its strategic priorities and policy initiatives for 2020 and its approach to assessing the controlling bodies' annual integrity plans and budgets
- Chair and executive officer meet with Racing Victoria chief executive officer and integrity head

March

- Chair and executive officer meet with Greyhound Racing Victoria chief executive officer and integrity head
- Website goes live

April

- VRIB reviews controlling bodies' legacy integrity frameworks and materials following disbandment of the former integrity councils upon the establishment of the board and examines relevant industry reports
- VRIB clarifies governance arrangements for its statutory function to review proposed new or amended rules of racing

May

- Controlling bodies submit annual integrity plans and budgets
- VRIB reviews training arrangements for Victorian racing industry integrity officials, including the status of previous recommendations
- 2020-21 corporate plan developed
- Vision, purpose and values statement crafted

June

- Methodology developed to assess codes' integrity governance and performance
- VRIB reviews each controlling body's annual integrity plan and budget and determines to endorse all integrity plans
- Integrity plan recommendations emphasising the need for improved tri-code collaboration proposed for discussion with the controlling bodies
- VRIB determines that it only has jurisdiction to oversight animal welfare issues if they are integrity related
- VRIB enters memorandum of understanding with the Racing Integrity Commissioner

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About VRIB.

A NEW VICTORIAN RACING OVERSIGHT AND ADVISORY BODY

Operational responsibility

The *Racing Act 1958* vests primary accountability for the control of racing in the Victorian racing industry by–

- recognising Racing Victoria as the controlling body for thoroughbred racing
- establishing Harness Racing Victoria and Greyhound Racing Victoria as statutory authorities and controlling bodies for harness and greyhound racing.

The controlling bodies therefore have frontline operational responsibility for the delivery of all integrity functions, including–

- licensing/registration of participants and animals
- developing and amending the rules of racing
- race day operations and stewarding
- anti-doping and medication control
- form and wagering monitoring
- complaints and investigations
- intelligence, data analysis, risk identification and mitigation strategies
- monitoring and assurance of industry compliance
- enforcement and prosecutions
- integrity education for industry and controlling body and racing club staff
- oversight of integrity performance at racing clubs

Independent oversight

VRIB was established on 1 August 2019 as an independent statutory authority under Part IVB of the Act to provide oversight of the controlling bodies' delivery of integrity functions.

VRIB's statutory functions are to–

- oversee relationships** between the controlling bodies and their integrity staff
- endorse and make recommendations** about the controlling bodies' annual integrity plans
- review and provide recommendations** about the controlling bodies' integrity resourcing and budgets
- advise and make recommendations** to the controlling bodies about integrity policy and licensing policies and procedures
- review proposals** for new or amended rules of racing that relate to integrity and make recommendations
- receive complaints** from a controlling body director, integrity manager, chief or deputy steward about integrity issues within a controlling body
- refer complaints** to the Racing Integrity Commissioner **or investigate** complaints that are outside the Commissioner's powers
- liaise** with the Commissioner and external agencies about integrity matters
- maintain an effective working relationship** with the controlling bodies' boards
- consider and provide direction** to a controlling body about proposed disciplinary action against a senior integrity official in relation to internal integrity matters
- oversee the development** of memoranda of understanding or shared services agreements between the controlling bodies
- issue directions** to controlling bodies about integrity matters.

VRIB's role complements the Racing Integrity Commissioner whose functions under Part IA of the Act include the–

- conduct of audits about the controlling bodies' integrity processes and systems in areas identified by the Commissioner following consultation with VRIB and the controlling bodies
- receipt and investigation of complaints about–
 - the controlling bodies' integrity processes and systems
 - the conduct of a controlling body or its employee, officer or member
- investigation of matters referred by the Minister, VRIB or a controlling body.

Background to legislative mandate¹

VRIB was established following an independent review of the Victorian racing industry's integrity structures recommended to ensure–

- integrity services are free of undue influence from controlling bodies' commercial considerations
- increased independent oversight and greater transparency and accountability of integrity functions
- enhanced collaboration between the codes.

Vision

A fair and clean racing industry that champions high standards of integrity and proactively seeks to ensure a level playing field for all participants

Purpose

To enhance the integrity of the Victorian racing industry through independent and transparent oversight of the controlling bodies' integrity functions, ensuring high standards, accountability and effective tri-code collaboration

VRIB's role complements the Racing Integrity Commissioner

Values

INTEGRITY

VRIB is open and transparent, avoids conflicts of interest, uses its powers responsibly and strives to maintain public trust

COLLABORATIVE

VRIB works with the Victorian racing industry and internally to enhance knowledge and understanding, share insights and learnings, and advance its vision and purpose

ACCOUNTABLE

VRIB works transparently to clear objectives, seeks to use its resources efficiently and effectively, accepts responsibility for its decisions and submits itself to appropriate scrutiny

IMPARTIAL

VRIB makes decisions on merit and without bias by objectively considering all relevant facts

RESPONSIVE

VRIB provides independent and impartial advice to the controlling bodies and government, identifies and endorses best practice, and promotes forward thinking

1. See *Racing Amendment (Integrity and Disciplinary Structures) Bill 2018*, Hansard Second Reading Speech, 20 June 2018

VRIB FUNCTIONS



RELATIONSHIPS

- with the boards of controlling bodies and their integrity staff
- with the Racing Integrity Commissioner and external agencies



OVERSIGHT

- annual integrity plans
- integrity resourcing and budgets
- new or amended rules of racing as they relate to integrity
- proposed disciplinary action against a senior integrity official



TRI-CODE COLLABORATION

- between the controlling bodies
- develop memoranda of understanding or shared services



COMPLAINTS

- from a controlling body board member, integrity manager or the chief or deputy steward about integrity issues within a controlling body

CURRENT BOARD MEMBERS AT 30 JUNE 2020

The Hon Jack Forrest QC, Chair

Appointed 1 August 2019

Term 4 years, until 31 July 2023

Jack was a Judge of the Supreme Court from 2007 and the principal judge of the common-law division from 2015 until he retired in March 2018. He has a life-long interest in thoroughbreds and racing as a former licenced owner trainer, breeder and rider. Jack was Chairperson of the Racing Victoria Integrity Council and is a Director of Racing Analytical Services Limited.

The Hon Peter Young AM QC, Deputy Chair

Appointed 1 August 2019

Term 3 years, until 31 July 2022

Peter served as a Family Court Judge from 2002 until 2013. He was appointed as the Deputy Chancellor of Monash University in January 2019 and has been a Member of Monash University Council since 2014. Mr Young was previously a member of the Epworth Hospital Ethics and Medical Research Committee, Chairman of the Melbourne Racing Club from 2005-2010 and a Member of the Racing Victoria Integrity Council.

Her Hon Magistrate Jacqueline Billings, Deputy Chair

Appointed 1 August 2019

Term 3 years, until 31 July 2022

Jacqui was appointed as a Magistrate of the Magistrates' Court of Victoria and assigned to the Victorian Children's Court in September 2018. She is a former Chair of the Moe Racing Club, a former Board Member of Greyhound Racing Victoria and a former Member of the Greyhound Racing Victoria Integrity Council.

Ms Elizabeth Clarke, Deputy Chair

Appointed 6 November 2019

Term 2 years and 9 months
until 31 July 2022

Elizabeth has had a long involvement with racing in Victoria. She served on the Board of Harness Racing Victoria from 2012 to 2019 and as Deputy Chair from 2016 to 2019. She was also a member of the Harness Racing Victoria Integrity Council and Show Cause Committee Member between 2012 and 2019. Ms Clarke was Club Manager at the Terang Harness Racing Club and the Terang and District Racing Club. She was Advisor in the Department of Justice on the Racing Appeals Tribunal from 2000 to 2011 and a member of Harness Racing Victoria Racing Appeals and Disciplinary Board. She has been Chair of the Harness Racing Victoria Industry Advisory Council from 2016 until 2019.

Mr Bryan Gurry, Member

Appointed 1 August 2019

Term 2 years, until 31 July 2021

Bryan has had a successful career in law that includes establishing his own legal practice and being appointed as Partner of several national law firms. Mr Gurry was a Member of the Board of Directors of Racing Victoria from 2008 until 2017 and represented the Racing Victoria Board on the Racing Victoria Integrity Council.

Mr Hayden Opie AM, Member

Appointed 1 August 2019

Term 2 years, until 31 July 2021

Hayden is a Senior Fellow in the Melbourne Law School and a member of the Court of Arbitration for Sport. He established and developed the Melbourne Sports Law Program and was the founding President of the Australian and New Zealand Sports Law Association Inc. He has conducted investigations and hearings into a

variety of disputes for Australian sport governing bodies and served as the legal member of the Anti-Doping Rule Violation Panel established under the *Australian Sports Anti-Doping Authority Act 2006* (Cth). He has also served as an independent member of the Racing Victoria Integrity Council.

Dr Catherine (Kate) Savage, Member

Appointed 1 August 2019

Term 2 years, until 31 July 2021

Kate is an equine veterinarian and internal medicine specialist. She has worked in Australia, the USA and at the Beijing Olympics. Dr Savage is the past President of the World Equine Veterinary Association and was a Member of the Harness Racing Victoria Racing Appeals and Disciplinary Board.

Ms Amelia Lynch, Member

Appointed 1 August 2019

Term 2 years, until 31 July 2021

Amelia is a Partner at Lander & Rogers and head of the Sports Business Group. She has developed

a specialist practice in sports law, advising a broad range of clients in the sport, leisure and major events industry including national and state sporting organisations, professional sports clubs, racing clubs, major event organisers, venue/facility managers and government sport/recreation departments. Ms Lynch is a Director of the Victorian Institute of Sport and former Director of the Australia and New Zealand Sports Law Association.

Mr John Barrett, Member

Appointed 1 August 2019

Term 2 years, until 31 July 2021

John is an independent management consultant. He is an experienced senior executive whose career spans both government and non-government sectors, and he has extensive experience in governance, business performance and innovation. He is a former General Manager and Director of the Bookmakers Licensing Board (SA), Chief Executive of the Racing Industry Development Authority (SA), and Independent Member of the Greyhound Racing Victoria Integrity Council.

Meeting attendance

2019-20 attendance by individual VRIB members at meetings they were entitled to attend.

Board member	Eligible to attend	Meetings attended
The Hon Jack Forrest QC	9	8
The Hon Peter Young AM QC	9	9
Her Hon Magistrate Jacqueline Billings	9	9
Mr Dayle Brown	2	1
Ms Elizabeth Clarke	7	7
Mr Bryan Gurry	9	9
Mr Hayden Opie AM	9	9
Dr Catherine (Kate) Savage	9	8
Ms Amelia Lynch	9	8
Mr John Barrett	9	9

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Year in review.

ANNUAL INTEGRITY PLANS AND INTEGRITY BUDGETS

The controlling bodies' annual integrity plans identify their strategic and operational priorities and how they will be delivered. Their integrity budgets detail the resourcing for integrity functions in the year ahead.

VRIB oversees each. As the two functions are interdependent, it is practical to carry them out jointly.

Undertaking the task for the first time, VRIB chose not to be prescriptive about the form and content of the integrity plans. Its interest was to better understand what the controlling bodies considered their operational and resourcing priorities to be, and to make no assumptions.

The Act requires VRIB to be satisfied that its endorsement of each integrity plan is in the best interests of the industry. The board developed a decision-making framework to ensure its analysis was consistent and objective, focused on strategic outcomes, and did not delve into operational detail.

This approach was informed by the Government's Statement of Expectations Framework², which is designed to promote greater efficiency and effectiveness in the administration and enforcement of regulation, including the performance of integrity functions.

VRIB gauged the efficacy of each integrity plan by reference to its governance and performance features in the following areas–

- oversight framework
- risk management
- performance monitoring
- transparency and accountability
- integrity functions
- education

The controlling bodies' existing corporate planning cycles meant the integrity plans and budgets were provided at the end of May 2020.

VRIB met on consecutive weeks in June to consider each plan and the proposed allocation of integrity resources. When clarity about a particular integrity measure or strategy was needed, it sought further information from the controlling body. On each occasion, our requests were met with ready and helpful assistance.

The controlling bodies are to be congratulated on the quality and vision of their plans which evidence their continued commitment to ensuring high standards of integrity across the Victorian racing industry.

On 30 June 2020, VRIB reviewed all the available information and determined that each controlling body's annual integrity plan is in the best interests of the industry and should be endorsed.

The controlling bodies are to be congratulated on the quality and vision of their plans...

To fulfil its wider statutory remit, VRIB identified opportunities to promote tri-code collaboration and best practice – either because it considered a controlling body has strengths that can be shared with others, or because the prospect exists for the Victorian racing industry to work together to improve aspects of integrity governance, performance and cooperation. VRIB will consult with each code in the coming months about potential integrity plan recommendations in these areas.

VRIB also had regard to the Racing Integrity Commissioner's pending recommendations arising from his audit earlier this year examining the controlling bodies' systems and processes to manage integrity risk. Of note and in large part, the proposed recommendations deal with issues that also fall inside VRIB's sphere of responsibility.

VRIB does not wish to place unnecessary burden on the controlling bodies by replicating the Commissioner's efforts. It will therefore review the codes' consideration and implementation of the Commissioner's audit recommendations as part of its annual integrity plan process next year.

The review of the integrity resourcing and budgets of Racing Victoria and Greyhound Racing Victoria did not disclose any impediments to their delivery of integrity functions and it was not necessary to make recommendations.

Mindful of the financial challenges facing Harness Racing Victoria, VRIB considered it necessary to recommend that there be no reduction to its integrity budget for the next financial year and planned recruitment occur.



REVIEW OF PROPOSED RULES OF RACING

The review of the controlling bodies' proposed new or amended integrity-related rules is a unique undertaking. VRIB is fortunate to have three deputy chairs with real and extensive knowledge of each code, including a practical and nuanced understanding of the application of the rules of racing, and the complex local and national rule-making framework.

The controlling bodies have rigorous internal processes and controls to examine the potential impact of new and proposed rules and consult with industry stakeholders. However, the task is novel in every instance and each proposed rule is reviewed on its merits. Often requiring an expeditious assessment, the codes have been of great assistance in providing the requisite information in a timely fashion.

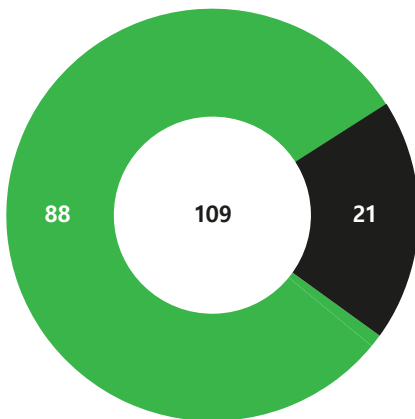
For the reporting period, VRIB received requests to review 109 integrity-related rules of racing from the controlling bodies, of which–

- 88 came from Harness Racing Victoria
- 21 came from Racing Victoria
- 0 came from Greyhound Racing Victoria³

VRIB made 108 recommendations to 30 June 2020, of which–

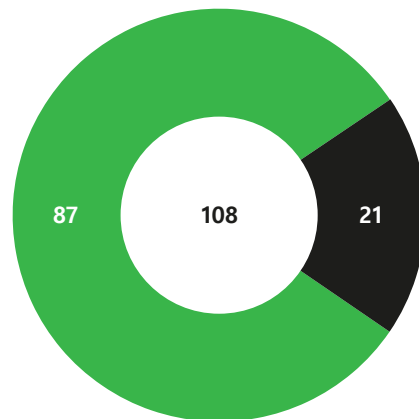
- 21 related to proposed new rules
- 87 related to proposed amendments to existing rules

The internal scrutiny applied to proposed rules by the codes means that it is rare that VRIB recommends a course other than implementation.



Proposed rules of racing

- Harness Racing Victoria
- Racing Victoria



Recommendations made

- New rules
- Existing rules

3. Greyhound Racing Victoria is working with Greyhounds Australasia in relation to a review of the national rules. The timeline for consultation is yet to be determined.

Rule review example

A controlling body sought VRIB review of a proposed amended national rule for animal treatment records. In evaluating the submission and stakeholder feedback provided to the code, VRIB considered the need for greater consistency in terminology within the rules. The value of treatment records as a source of evidence in Steward inquiries into the use of prohibited substances and race day administration, and the consequence that they contain all relevant information, was another an important consideration.

VRIB recommended the adoption of the proposed amendment. It also recommended that the controlling body advocate to the national body for the introduction of a standardised format for treatment books to assist users to readily record all required information and comply with the rules.



STATUTORY POWERS

Section	Power	2019-20 Performance
95H(1)(l)	issue directions to a controlling body regarding integrity matters	this power was not exercised during the reporting period
95O	direct a controlling body to provide information relevant to a complaint	this power was not exercised during the reporting period
95P	give directions to a controlling body in relation to a failure to comply with a recommendation	this power was not exercised during the reporting period
95R(2)(a)	require a controlling body to provide further information regarding an annual integrity plan	this power was not exercised during the reporting period
95R(2)(c)	require a controlling body to make changes to the annual integrity plan	this power was not exercised during the reporting period
95S	advise the Minister of any failure by a controlling body to— <ul style="list-style-type: none"> a. prepare and submit an annual integrity plan b. consider, respond to or implement a recommendation c. comply with a direction 	this power was not exercised during the reporting period

STATUTORY FUNCTIONS

Section	Function	2019-20 Performance
95H(1)(a)	oversee relationships between the controlling bodies of Racing Victoria, Greyhound Racing Victoria and Harness Racing Victoria and their integrity staff	a stakeholder engagement program was established and memoranda of understanding were signed with each code, the details of which are reported below
95H(1)(b) and 95R(2)(d)	endorse an annual integrity plan for each controlling body	the integrity plans of all 3 controlling bodies were endorsed
95R(2)(b)	make recommendations about annual integrity plans	recommendations were proposed for discussion with the controlling bodies, the details of which are reported below
95H(1)(c)	review and provide recommendations related to integrity resourcing and the integrity budgets of each controlling body	1 recommendation was made about the integrity budget of a controlling body
95H(1)(d)	advise and make recommendations to the controlling bodies relating to— (i) integrity policy; and (ii) participant licensing policies; and (iii) licensing procedures	this function was not undertaken during VRIB's first year of operation however it has been included in strategic planning for 2020-21
95H(1)(e)	review proposals for new or amended rules of racing as they relate to integrity and make recommendations in relation to the rules as they relate to integrity	108 proposals for new [21] and amended [87] rules of racing that related to integrity were reviewed and recommendations were made in relation to each
95H(1)(f), (b) and 95N(1)(a)	receive and review complaints made by a member or a Director of a board of a controlling body, an integrity manager or the Chief Steward or Deputy Chief Steward about integrity issues within a controlling body	8 complaints were received and reviewed, of which one fell within VRIB's jurisdiction
95N(1)(b) and (2)	consult with the Racing Integrity Commissioner about whether the board or Commissioner is the appropriate body to investigate the complaint and refer complaints to the Commissioner	4 complaints were the subject of consultation, only 1 complaint was referred to the Commissioner as the other 3 were lodged separately with his office

Section	Function	2019-20 Performance
95N(1)(c)	investigate any complaint not within the Commissioner's power	this function was not undertaken during the reporting period
95H(1)(h)	liaise with the Commissioner and external agencies regarding integrity matters	a memorandum of understanding was signed with the Commissioner and regular meetings with his office and other agencies occurred, the details of which are reported below
95H(1)(i)	maintain an effective working relationship with the boards of the controlling bodies	regular written updates providing information about VRIB activities, plans and consultation were provided to the code chairs, however planned face-to-face meetings with the code boards were deferred to after the reporting period due to COVID-19
95H(1)(j)	consider and provide direction in relation to any form of disciplinary action that a controlling body proposes to take against a senior member of an integrity department in relation to internal integrity matters	no controlling body proposed disciplinary action against a senior integrity department member in relation to internal integrity matters
95H(1)(k)	oversee the development of a memorandum of understanding or a shared services agreement between the controlling bodies	work commenced to develop: <ul style="list-style-type: none"> ▪ a service agreement between Racing Analytical Services Limited and each of the controlling bodies ▪ a shared service framework for a training program for integrity officials

COMPLAINTS

VRIB's complaints function is limited and protective; it provides oversight of the codes' integrity operations and is designed to ensure the integrity departments of each code are free from undue internal influence.

VRIB only has the power to deal with complaints that are–

- from a controlling body board member or director, integrity manager, or chief or deputy steward; and
- about integrity issues within a controlling body.

It was not anticipated that many complaints would be received during the reporting period. VRIB's visible presence and ability to respond to any attempt to internally undermine integrity functions appears to be an effective deterrent.

This expectation was borne out by the low number of complaints received – only 8 to 30 June 2020. All but 1 fell outside VRIB's jurisdiction, either because they were not made by a requisite person under the Act and/or did not relate to an integrity issue within a controlling body. Of the complaints received, all were finalised without the need for investigation and–

- 5 raised conduct concerns about the behaviour of staff or members of a controlling body or related entity, 2 about how races were conducted in other jurisdictions (Tasmania and NSW), and 1 about animal welfare
- 6 were made by members of the public and 2 by a staff member of a controlling body
- internal review identified that 4 related to matters outside VRIB's remit, the remaining 4 were the subject of consultation with the Racing Integrity Commissioner, of which–
 - only 1 was referred to the Commissioner
 - the other 3 had been lodged separately with his office.

VRIB complaints are centrally received via email. In responding to each complaint, VRIB's role was clarified and the complainant was informed that the board did not have the power to deal with their concern. Where possible, the complainant was redirected to the appropriate entity, being the relevant controlling body or Racing Integrity Commissioner for Victorian matters, or the responsible interstate authority.

Complaint example

VRIB received a complaint from a member of the public that a licensed participant had given false evidence in 2017 at a hearing of the relevant controlling body's Racing Appeals and Disciplinary Board. In determining that it was unable to take any action, VRIB noted that the complainant was not a nominated person under the Act, that the nature of the allegations did not relate to integrity issues within a controlling body, were about matters that occurred two years before VRIB's establishment, and that it was a matter for the controlling body.

RELATIONSHIPS

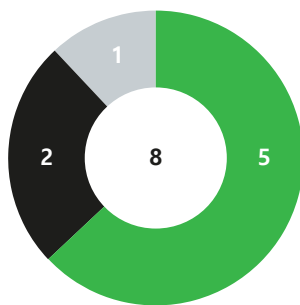
Controlling Bodies

VRIB's approach in its first year of operation was to endeavour to foster relationships with the Victorian racing industry controlling bodies and their integrity teams. This was driven by both a desire to enhance their knowledge of our role and functions, and the prospect of enhancing VRIB's understanding of their integrity function set-up and priorities.

Code engagement was instrumental to set VRIB's strategic priorities and policy initiatives for the year. The importance of the board's relationship with the controlling bodies was demonstrated by VRIB signing separate memoranda of understanding with each controlling body within its first months of operation.

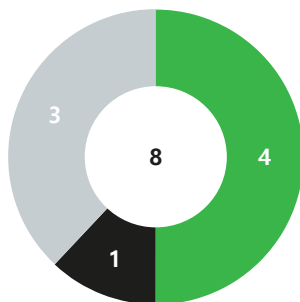
desire to enhance ... knowledge of our role and functions, and the prospect of enhancing VRIB's understanding of their integrity function set-up and priorities

Whilst the challenges of COVID-19 disrupted stakeholder engagement in the first half of 2020, the chair, executive officer and designated deputy chair met separately with the integrity heads and chief executives of each controlling body, and also the integrity departments of Harness Racing Victoria and Racing Victoria. Planned meetings with Greyhound Racing Victoria integrity officials and the boards of each controlling body were deferred to later in the year.



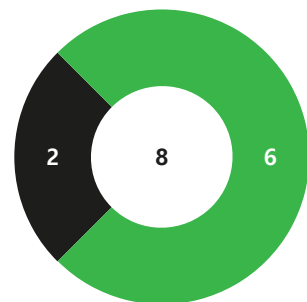
Complaints by type

- Behaviour of staff/member
- Race conduct
- Animal welfare



Complaints by complainant

- Member of the public
- Staff member of controlling body



Complaints by jurisdiction

- Outside VRIB's remit
- Referred to the Commissioner
- Lodged separately with Commissioner's office

The deputy chairs have established a constructive relationship with the integrity heads of each code which has allowed the board to receive timely updates about specific issues, including the rule reviews.

The integrity departments' ready input to the board's review of the integrity plans was invaluable. As indicated elsewhere in this report, the VRIB draft recommendations identified opportunities to lead tri-code collaboration in the coming year – to progress issues common to the Victorian racing industry, develop best practice and promote a culture of continuous improvement. Consultation with the controlling bodies on the adoption and implementation will occur in the months ahead.

Racing Integrity Commissioner

The VRIB chair and executive officer met regularly (monthly, and on an ad hoc basis) with the Racing Integrity Commissioner and his staff. VRIB also invited the Commissioner to attend a meeting of the board, to present an overview of his powers and functions, and share insights on how the two bodies can work together.

The board and Commissioner entered a memorandum of understanding which reflects their intention to effectively collaborate, share information and manage complaints. This was instrumental to ensure VRIB and the Commissioner adopt a consistent approach to the performance of functions and their engagement with the controlling bodies and other industry stakeholders.

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Other stakeholders

VRIB enjoys a highly effective working relationship with the Office of Racing which has informed its approach in its first year of operation. The Office's expertise in policy and knowledge of the industry's historical background has been invaluable.

The board also benefited from its participation in the Victorian Sports Integrity Network and engagement with a range of sporting and regulatory stakeholders across the public sector and government. VRIB intends to broaden consultation with industry participants, including trainers, drivers/jockeys and owners in the coming year.

VRIB engaged with Racing Analytical Services Limited (RASL) throughout the year to progress its service agreements with the controlling bodies – see below. It is working with RASL to develop an engagement forum with the codes about technical matters and the evolving science underpinning drug testing and detection.

INTEGRITY INITIATIVES

RASL service agreements

RASL is the independent provider of laboratory testing services to the Victorian racing industry. It plays a key integrity role in maintaining high standards for drug detection and analysis.

In 2008, the Lewis Report⁴ identified the importance of a consistent, tri-code approach to swabbing and testing as well as the need for a service agreement between RASL and the codes.

As part of its review of the codes' legacy integrity frameworks, VRIB observed there had been limited progress on the service agreement over the intervening years. Following consultation, the board determined it was within its remit to play a key role in sponsoring the development of code service agreements.

VRIB has commenced a series of individual and joint meetings between the codes and RASL, chaired by board member Bryan Gurry with support from the executive officer. The board is hopeful this investment will further the relationship between the parties and facilitate their coming to a mutually satisfactory agreement.

Training for integrity officials

VRIB's examination of earlier Victorian racing industry material and discussions with the controlling bodies and Racing Integrity Commissioner also disclosed a longstanding issue concerning the absence of a tri-code framework for the training of integrity officials.

Consultation with education providers identified the existence of a nationally recognised framework for vocational education and training in racing integrity, including a certificate qualification that has not been implemented.

The board sees real value to the industry in establishing a common baseline for integrity training and competence that will develop individual skills and expertise, facilitate mobility, and strengthen capability and collaboration across the industry.

VRIB intends to progress this important initiative in the coming months, and further its role in the development of shared services and facilitation of tri-code collaboration, through the creation and sponsorship of an integrity training steering committee.

real value to the industry in establishing a common baseline for integrity training and competence...

The committee will be chaired by VRIB member Hayden Opie AM and will include a representative from each controlling body, the Commissioner and a registered training organisation.

4. A Report on Integrity Assurance in the Victorian Racing Industry, Judge G.D. Lewis AM, 1 August 2008

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Governance.

Establishing VRIB

VRIB began operation on 1 August 2019. It convened its first meeting in September 2019 and developed a charter to provide clarity and focus for the performance of its statutory functions.

In VRIB's first five months, the Office of Racing at the Department of Jobs, Precincts and Regions provided administrative and secretariat assistance and established its functional systems, a board portal and website. VRIB acknowledges the ongoing support of the Department through its provision of shared corporate services, notably information technology, finance, human resources, and building and facilities management.

With the engagement of the executive officer, VRIB created a business plan and reporting structure. The development of VRIB's relationships with the controlling bodies and tri-code collaboration were identified as strategic priorities. The executive officer designed a framework to ensure the board had arrangements in place to perform its oversight and advisory functions and exercise its powers to a high standard.

VRIB embarked on a program to fulfil governance obligations and legislative compliance, including for conflict of interest, confidentiality, records management, risk management and financial management. The executive officer oversaw the development and implementation of relevant policies and business practices to achieve these requirements.

Corporate reporting

Financial reporting

As VRIB operates on a costs-recovery funding model through the Department of Jobs, Precincts and Regions, detailed reporting relating to its financial performance, workforce data and other disclosures under the *Financial Management Act 1994* are included in the Department's annual report.

Public sector conduct

VRIB and its staff abide by applicable Victorian public sector codes of conduct. No breaches of the codes were reported during the year.

Conflicts of interest

VRIB follows the Victorian public sector model conflict of interest policy and maintains separate registers of private interests and gifts, benefits and hospitality. Board members and the executive officer complete an annual declaration of interests prior to 30 June each year.

Risk management

Risk management processes to meet the requirements of the Victorian Government Risk Management Framework 2016 and Risk Management Standard ISO 31000:2018 are in place.

Freedom of information

The *Freedom of Information Act 1982* (FOI Act) provides the public with a right to request access to information held by VRIB. No freedom of information (FOI) requests to access information under the FOI Act were received during the reporting period.

An FOI request must be made in writing, clearly describe the information or document sought, and be accompanied by the prescribed application fee made payable to the Department of Jobs, Precincts and Regions. Enquiries about access to VRIB documents can be made to–

Freedom of Information Request Victorian Racing Integrity Board

Level 36, 121 Exhibition Street
Melbourne Victoria 3000
GPO Box 4509 Melbourne Victoria 3001

Email vrrib@ecodev.vic.gov.au

Public interest disclosures

The *Public Interest Disclosure Act 2012* encourages and facilitates the disclosure of improper conduct and corruption in the Victorian public sector by providing protection to people who make disclosures in accordance with its provisions. Any disclosure of this type about VRIB or its staff may be made to either–

Independent Broad-based Anti-Corruption Commission

Level 1, 459 Collins Street (North Tower)
Melbourne VIC 3000

Phone 1300 735 135

Website www.ibac.vic.gov.au

Victorian Ombudsman

Level 2, 570 Collins Street
Melbourne VIC 3000

Phone 03 9613 6222

Website www.ombudsman.vic.gov.au

Consultancies

VRIB did not engage any consultants during 2019-20.



