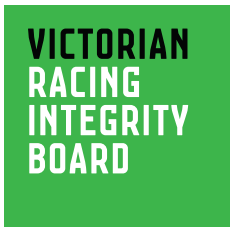


**ANNUAL** REPORT  
2022-**23**

**VICTORIAN  
RACING  
INTEGRITY  
BOARD**



Authorised by the  
**VICTORIAN RACING INTEGRITY BOARD**

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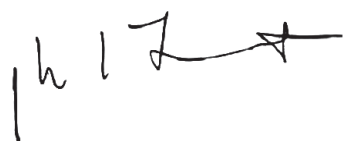
## LETTER OF TRANSMITTAL

To The Hon Anthony Carbines MP, Minister for Racing

I am pleased to provide you with the annual report of the Victorian Racing Integrity Board for the year ending 30 June 2023, for tabling in Parliament.

As required by section 95T of the *Racing Act 1958 (Vic)*, the report describes the board's activities in the past year, 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 wider Victorian community about the Board's racing integrity oversight and advisory roles under the Act.

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

**The Hon Justice Jack Forrest**

Chair

31 July 2023



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## CHAIR'S FOREWORD

As this is my last report to the Minister, I wish to express my sincere thanks to all the members of the Board (past and present). The Board has worked cohesively and tirelessly to achieve better outcomes for racing integrity in this State. I have been privileged to work with each of its members. I particularly wish to thank each of the deputy chairs for their contribution.

Similarly, the small but dedicated staff of the Victorian Racing Integrity Board (VRIB) have worked energetically and uncomplaining in achieving VRIB's statutory functions. I particularly wish to thank the two executive officers Elissa Watson and Aaron Campbell (and his assistant Ms Rebecca Green) for their selfless and outstanding work.

I also wish to thank the former Racing Integrity Commissioner, Mr Sal Perna and the current Commissioner, Mr Sean Carroll for their co-operation and assistance over the past four years. The smooth functioning of VRIB would have been impossible without their collaboration.

### Mandatory oversight of racing integrity

VRIB has three key tasks to perform under the *Racing Act 1958*.

The first is to ensure that racing integrity officials of each controlling body can undertake their important roles without interference from their respective controlling bodies. There were no actionable complaints during the year. As I have said previously, I am satisfied that this is a direct result of the presence of VRIB in the racing industry integrity space. My discussions with key officials in each of the codes convinces me that the controlling bodies and their integrity staff understand the demarcation between commercial goals and independence of integrity groups. What is important is that the controlling bodies maintain their general oversight of integrity operations but ensure that they do not unduly influence or impede those integrity operations.

The second is the review of each controlling body's annual integrity plans and budgets. Each of the controlling bodies submitted their 2023-24 integrity plans and budgets. VRIB reviewed each plan individually and then assessed the plans jointly, on a cross-code basis. An opportunity was extended to the head of each controlling body's integrity department to brief VRIB about their integrity plans and respond to questions from board members. It is important to ensure that there is consistency between the plans but without interfering with the relevant codes ability to prepare a plan which meets its industry requirements. After three previous reviews I think that we have now struck the right balance. Each of the 2023-24 plans were endorsed by VRIB.

The third is the review of the rules of racing relating to integrity. The VRIB Deputy Chairpersons have dealt expeditiously and effectively with the review of proposed new and amended rules and have made recommendations about these to the controlling bodies throughout the year. These are set out later in the report.

### Discretionary oversight & policy

VRIB is also charged with overseeing the controlling bodies' integrity governance and performance through its power to make recommendations in relation to integrity issues.

VRIB continues to focus on its primary role of the promotion of cross-code or Victorian racing industry collaboration with the development of common best practice. Our objective, as far as



is practicable, is to ensure that each controlling body maintains consistent industry practice to enhance their ongoing identification and management of integrity risks.

To this end, during the year VRIB assumed responsibility for SCOP (Standard code of practice) previously issued by the Racing Integrity Commissioner (RIC). This, as the RIC and VRIB recognised, fits far more comfortably within VRIB's purview, and enables the RIC to better perform his primary function. This year two VRIB policies have been promulgated (Education and Fit & Proper Person) and the current SCOPS are under review. We aim to have a draft investigation and prosecution policy developed in the coming months and regard this area as a major focus of VRIB's work.

Our other focus has been the cross-code integrity education program. Under the Chairmanship of Elizabeth Clarke AM, the education committee made great progress. An agreement with Victoria University for the provision of integrity courses was finalised. Each of the codes and the department gave their full support to the development of a program. With the benefit of Victorian Racing Industry Fund support, I am pleased to report that the first intake of integrity staff in the Graduate Certificate and vocational streams commenced in May 2023.

VRIB will, in the coming months, review the outcomes of the first intake. It is, however, essential that each of the codes gives its full support to this program over the coming years. VRIB will maintain its role as a sponsor and advisor but ultimately this program is the responsibility of the codes.

Professional education and development is critical to integrity success. I have seen first-hand over the past four years mistakes and misjudgements by integrity staff in each of the codes that cause significant reputational damage to the Victorian racing industry. Without such a program I fear that both the perception and reality of integrity capability will suffer-at a time when racing can least afford it. Again, VRIB will work to ensure that stakeholders remain active and engaged in this exceedingly valuable program.

Finally, I wish to raise the issue of the powers and functions of VRIB and the RIC. The two bodies work harmoniously and efficiently together; however, it has become abundantly clear during my term that there are a number of gaps and disparities in the powers and functions of both bodies. This is borne out by the perception of many industry participants who, understandably, do not appreciate the respective roles of the two bodies. A legislative simplification and clarification of the powers and functions of both is, in my view, a matter requiring urgent consideration.

**The Hon Justice Jack Forrest**  
Chair

## EXECUTIVE OFFICER'S FOREWORD

The 2022-23 financial year was particularly significant for VRIB, with the Board releasing two policy documents – Education and Fit & Proper Person – and determining to take carriage of the SCOP regime from the RIC.

VRIB's determination to take on a more active role in relation to the provision of policy advice to the controlling bodies will provide the Board with a mechanism to promote best practice, and consistency in approach, in relation to the operation of integrity functions across the Victorian racing industry (VRI).

The Board is keen to continue its close collaboration with the controlling bodies on the development of new integrity related policy, to ensure that these documents address the most pressing integrity needs and work to add real value to both the controlling bodies and the VRI more generally.

The Board also maintained its focus on its core function of reviewing the controlling bodies annual integrity plans. The process for this reporting period saw a particular emphasis given to collaboration with the controlling bodies in the lead up to the provision of their plans to the Board for endorsement. This focus resulted in an

improvement in the quality of the plans received and worked to facilitate the review process.

The Board is keen to ensure that a continual improvement approach is taken to the integrity planning process and will work with the controlling bodies each year to ensure their plans provide a clear, succinct and accurate view of their integrity operations.

VRIB is proud of its achievements in 2022-23 and will continue to work with the controlling bodies to realise the best interests of the VRI.



**Aaron Campbell**

Executive Officer



# YEAR AT A GLANCE

## 2022

### JULY

VRIB's Licensing & Registration Steering Committee held its inaugural meeting. The Committee was set up to oversee the development of a cross-code fit and proper person policy.

### AUGUST

VRIB commences engagement with the Veterinary Practitioners Registration Board to address issues associated with veterinarians in the racing industry.

### SEPTEMBER

VRIB engages with the RSPCA (Vic) to discuss that organisation's priorities and issues relating to the racing industry.

### OCTOBER

VRIB endorses a proposal for the Board to take carriage of the oversight and development of the SCOP from the RIC.

VRIB holds first biannual cross-code integrity meeting, bringing together controlling body Chairs, CEOs and government officials to discuss integrity matters and the racing industry.

### NOVEMBER

VRIB issues its Fit and Proper Person and Education Policies to the controlling bodies.

### DECEMBER

VRIB holds a workshop to develop its Strategic Plan for 2023-25.

## 2023

### JANUARY

VRIB joins the Integrity Education Advisory Panel – chaired by Victoria University and comprised of subject matter experts from each of the controlling bodies – to develop racing specific content for the Racing Integrity Education Program.

### FEBRUARY

VRIB makes recommendations to controlling bodies in relation to the use of personal devices by integrity staff.

VRIB attends 39<sup>th</sup> Asian Racing Conference

### MARCH

VRIB issues its revised complaints policy and process to those individual eligible to make a complaint to the Board under the Racing Act 1958.

### APRIL

VRIB holds second biannual cross-code integrity meeting, bringing together controlling body Chairs, CEOs and government officials to discuss integrity matters and the racing industry.

### MAY

Government announces that the Victorian Racing Industry Fund will provide \$280,000 to fund the development and delivery of the Racing Integrity Education Program.

Training in the Racing Integrity Education Program commences at Victoria University.

### JUNE

VRIB endorses the controlling bodies' 2023-24 annual integrity plans.

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## WHO WE ARE

## BOARD MEMBERS

Established in 2019 under Part IVB of the *Racing Act 1958*, VRIB is an independent statutory authority providing oversight of integrity in the VRI.

### The Hon Justice Jack Forrest, Chair

**Appointed:** 1 August 2019

**Term end:** 31 July 2023

Jack is the former Chairperson of the Racing Victoria Integrity Council. He has a life-long interest in thoroughbreds and racing as a former licenced owner trainer, breeder, and rider. Jack was appointed a Queens Counsel in 1999 and 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 now sits as an acting judge of the Supreme Court.

### Ms Elizabeth Clarke AM, Deputy Chair

**Appointed:** 1 August 2022

**Term end:** 31 July 2025

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. Elizabeth was Club Manager at the Terang Harness Racing Club and the Terang and District Racing Club. She was an Adviser to the Racing Appeals Tribunal from 2000 to 2011 and a member of Harness Racing Victoria Racing Appeals and Disciplinary Board. She was Chair of the Harness Racing Victoria Industry Advisory Council from 2016 until 2019. In June 2021, Elizabeth was appointed a Member of the Order of Australia for service to harness racing and the community.

### Mr Bryan Gurry, Deputy Chair

**Appointed:** 1 August 2021

**Term end:** 31 July 2024

Bryan 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. Bryan has enjoyed a successful career in the law that includes establishing his own legal practice and being appointed as Partner of several national law firms.

### Mr John Barrett, Deputy Chair

**Appointed:** 1 August 2021

**Term end:** 31 July 2023

John is a former Independent Member of the Greyhound Racing Victoria Integrity Council, Chief Executive of the Racing Industry Development Authority (SA), and General Manager of the Bookmakers Licensing Board (SA). He is an executive management consultant with extensive experience in governance, business performance and innovation across the public and not-for-profit sectors. A Member of the Australian Institute of Company Directors, he has previously held several executive director, non-executive director, company secretary and statutory regulator roles.

### Dr Catherine (Kate) Savage, Member

**Appointed:** 1 August 2021

**Term end:** 31 July 2023

Kate is an equine veterinarian and internal medicine specialist. She has worked in Australia, the USA and at the Beijing Olympics. Kate 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 Megan Hughes, Member

**Appointed:** 1 August 2021

**Term end:** 31 July 2024

Megan is a lawyer, writer and policy adviser with experience working in the public, private and not-for-profit sectors. She has strong expertise in racing and administrative law, governance and integrity and has advised a range of racing bodies in Australia and Europe, most recently on animal welfare and social licence issues. Megan has worked on a number of significant justice and regulatory reforms, including the governance overhaul of the Victorian thoroughbred racing industry. She is currently a Senior Adviser, Research and Advocacy at the Centre for Innovative Justice at RMIT University. Megan is also a Director of Racing Analytical Services Limited.

## Ms Amelia Lynch, Member

**Appointed:** 1 August 2021

**Term end:** 31 July 2024

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. She is a Director of the Victorian Institute of Sport and former Director of the Australia and New Zealand Sports Law Association.

## Mr Tim Lyons, Member

**Appointed:** 1 August 2022

**Term end:** 31 July 2025

Tim has had 20 years' experience in the trade union movement as an organiser, advocate, policy specialist and senior leader. He has been a member of Federal Government boards and expert working groups on workplace relations, taxation, superannuation, procurement, and industry policy. He has had Australian and international leadership experience in relation to superannuation and retirement incomes policy, ESG and capital stewardship. He has had a long-term work focus on governance, compliance and accountability issues as a director, manager, and leader.

## Mr Emmett Dunne APM, Member

**Appointed:** 1 August 2022

**Term end:** 31 July 2025

Emmett retired from Victoria Police in 2015 at the rank of Assistant Commissioner after a forty-year career in which he served in a variety of roles including as the head of the Prosecutions Division and the Professional Standards Command. He has recently concluded six years' service as a Director and Deputy Chair of Greyhound Racing Victoria, and he continues a life-long involvement in Australian Rules Football which incorporated 21 years as a member of the AFL Tribunal.

## Meeting attendance

Board member	Eligible to attend	Meetings attended
The Hon Justice John Forrest	7	5
Elizabeth Ann Clarke AM	7	7
Bryan Gurry	7	7
John Barrett	7	7
Dr Catherine (Kate) Savage	7	6
Megan Hughes	7	7
Amelia Lynch	7	7
Tim Lyons	7	5
Emmett Dunne APM	7	7

# VISION, PURPOSE & APPROACH



## OUR VISION

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



## OUR PURPOSE

Promote confidence in the VRI through independent and transparent oversight of the controlling bodies' integrity functions, to maintain high standards and enhance accountability and collaboration.



## OUR APPROACH

Provide independent, impartial advice and recommendations about integrity issues to the controlling bodies and government, oversee and facilitate industry collaboration, and promote innovation through identification and endorsement of integrity best practice.

## WHAT WE DO

VRIB provides independent oversight of Victorian racing integrity by–

- ensuring that integrity functions are not compromised by the commercial considerations of the controlling bodies
- increasing the transparency and accountability of integrity functions
- enhancing cross-code collaboration about integrity matters.

Primary responsibility for the control of racing, including the performance of integrity functions and compliance with the rules of racing, lies with the controlling bodies.

VRIB only has power to oversight animal welfare issues that relate to racing integrity. VRIB's functions are set out in the *Racing Act 1958* and are advisory in nature. The board has oversight of the controlling bodies' performance in the following key areas–

- integrity plans, budgets, and resourcing
- integrity policy and licensing policy and procedure
- integrity-related rules of racing

- complaints about integrity issues within a controlling body
- disciplinary action proposed against a senior integrity official
- shared services agreements between the controlling bodies.

VRIB's oversight of racing integrity is jointly shared with the RIC. In contrast to the Board, the RIC's focus is more operational, and includes the following core functions–

- the conduct of annual audits of integrity processes and systems
- the investigation of complaints about integrity processes and systems and the conduct of controlling bodies.



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**YEAR IN REVIEW**

## OVERVIEW OF FUNCTIONS & POWERS

### Overview of VRIB's performance of statutory functions under Part IVB of the *Racing Act 1958*

SECTION	FUNCTION
95H(1)(a) and (i)	Oversee and maintain relationships between and with the controlling bodies, their integrity staff, and boards.
95H(1)(b), 95R(2)(b) and (d)	Endorse and make recommendations about each controlling body's annual integrity plan.
95H(1)(c)	Review and provide recommendations about integrity resourcing and the integrity budgets of each controlling body.
95H(1)(d)	Advise and make recommendations to the controlling bodies about integrity policy and policies and procedures for participant licensing.
95H(1)(e)	Review proposals for new or amended, integrity related rules of racing and make recommendations.
95H(1)(f), (b) and 95N	Receive, review, and investigate or refer to the RIC, 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.
95H(1)(h)	Liaise with the RIC and external agencies about integrity matters.
95H(1)(j)	Provide direction about disciplinary action proposed by a controlling body against a senior integrity department staff member about internal integrity matters.
95H(1)(k)	Oversee the development of memorandum of understanding or shared service agreements between the controlling bodies.

### Overview of VRIB's performance of its statutory powers under Part IVB of the *Racing Act 1958*

SECTION	POWER
95H(1)(l)	Issue directions to a controlling body regarding integrity matters.
95O	Direct a controlling body to provide information relevant to a complaint.
95P	Give directions to a controlling body about a failure to comply with a recommendation.
95R(2)(a)	Require a controlling body to provide further information about an annual integrity plan.
95R(2)(c)	Require a controlling body to make changes to the annual integrity plan.
95S	Advise the Minister of any failure by a controlling body to prepare and submit an annual integrity plan; consider, respond to, or implement a recommendation; or comply with a direction.



## PERFORMANCE

Undertook regular liaison with the integrity heads, chief executives, and boards of the controlling bodies through formal and informal mechanisms.

Finalised recommendations and requests to controlling bodies in relation to their 2022-23 annual integrity plans. Endorsed the 2023-24 annual integrity plans of all three controlling bodies.

Endorsed the 2023-24 integrity budgets of all three controlling bodies. Made separate recommendations relating to integrity resourcing (e.g. filling vacancies) and the use personal devices by integrity staff.

Reviewed and made recommendations in support of 12 integrity and licensing policies and 1 guideline. Two of these reviews related to separate proposals for change to one policy.

Reviewed 152 proposals for new [96] and amended [56] rules / sub-rules of racing relating to integrity, suggested some enhancements and, ultimately, made recommendations in support / support in principle of all.

Received 0 complaints during 2022-23.

Engaged in regular, informal, and formal liaison with the RIC and other agencies.

Was not required to provide direction in relation to matters involving disciplinary action proposed by a controlling body in 2022-23.

A common service level agreement between RASL and each controlling body has been established.

## PERFORMANCE

Power was not exercised during the reporting period.

Power was not exercised during the reporting period.

Power was not exercised during the reporting period.

Made one cross-code request in relation to the provision of Victorian Racing Tribunal information.

Power was not exercised during the reporting period.

Power was not exercised during the reporting period.

# ANNUAL INTEGRITY PLANS & BUDGETS

The annual integrity plans and budgets identify each controlling body's strategic priorities, the operational activities they will undertake in the year ahead, and the resources required to do this.

VRIB's oversight function in relation to the integrity plans and budgets is to review, provide independent feedback, and ultimately endorse them.

The controlling bodies provide their annual integrity plans and budgets to VRIB at the end of May each year.

The interdependent nature of the board's functions in relation to both means that VRIB assesses the plans and budgets concurrently. This occurs in June each year.

VRIB subsequently considers what, if any, recommendations / requests it should make to facilitate continuous improvement in integrity outcomes through the annual integrity plan process and communicates these to the controlling bodies.

## Integrity plan template

The Board has developed a template for use by the controlling bodies in developing their plans. The template ensures that VRIB is provided with the information it requires to assess each plan in a structured consistent manner.

VRIB liaises regularly with the controlling bodies on the template as part of a continuous improvement process and to ensure that it remains fit for purpose.

The template requests that controlling bodies provide information in relation to:

- Integrity Governance –
  - » Oversight and performance monitoring
  - » Risk management
  - » Integrity Budgets
- Integrity Performance –
  - » Core integrity functions (BAU)
  - » Integrity initiatives, projects or infrastructure (additional to BAU)
  - » Collaboration
  - » Education, training & induction

The template also requests that controlling bodies provide an overview of significant changes in the current plan as compared to its preceding iteration, information in relation to any VRIB recommendations that were to be addressed in the plan and confirmation of board approval (i.e. the approval of the controlling body's board).

## Recommendations relating to the 2022-23 integrity plans

VRIB endorsed the controlling bodies' 2022-23 annual integrity plans in June last year. When endorsing the plans, the Board also determined a number of recommendations and requests to go to the controlling bodies for the provision of additional information to address any areas of concern or provide further detail on certain matters. These recommendations / requests related to controlling bodies providing:

- up-to-date Position Descriptions for integrity heads
- the Codes of Conduct applicable to all employees, directors, other officers, and others that work for/act on behalf of the controlling body
- any regular reporting from integrity departments to boards and any board response

VRIB also requested that Greyhound Racing Victoria and Harness Racing Victoria provide addendums to their plans providing additional information in relation to their budgets, staffing, and definitions in relation to "employees" and "participants" for the purpose of compliance with integrity policies.

## ADVICE ABOUT INTEGRITY & LICENSING POLICY

### Endorsement of 2023-24 integrity plans and budgets

The *Racing Act 1958* requires VRIB to be satisfied that its endorsement of each controlling body's annual integrity plan and budget is in the best interests of the racing industry.

Prior to the controlling bodies commencing the development of their plans for 2023-24 VRIB undertook a consultation process with them to review and amend the VRIB integrity plan template. This process saw several amendments proposed by the controlling bodies incorporated into the template that worked to facilitate the controlling bodies developing their plans in the most efficient manner possible.

As for previous years, in 2023, VRIB again provided an opportunity for each controlling body's integrity head to present their annual plan to the board and respond to members' queries.

After reviewing each plan in turn, VRIB determined that the controlling bodies' 2023-24 annual integrity plans and budgets were in the best interests of the industry and should be endorsed.

VRIB also determined to make one cross-code request in relation to the provision of Victorian Racing Tribunal information from the controlling bodies to the Board on a quarterly basis. VRIB anticipates that these reports will provide valuable insights into the controlling bodies integrity operations.

VRIB would like to acknowledge the quality of the annual integrity plans which demonstrates the controlling bodies ongoing commitment to continual improvement in racing integrity.

VRIB's function under section 95H(1)(d) of the *Racing Act 1958* is to advise and make recommendations to the controlling bodies about integrity policy, and licensing policies and procedures.

The performance of this function is ordinarily delegated to the deputy chairs unless the specific policy or procedure raises matters of cross-code application. In providing advice about these matters to the controlling bodies, the deputies draw on their significant knowledge of the applicable greyhound, harness, or thoroughbred racing code.

VRIB reviewed and made recommendations in support of 12 integrity and licensing policies and 1 guideline in 2022-23.

The policies / guideline related to:

- Trainer Licensing Policy (n.b. reviewed twice) (RV)
- Stable Employee Registration Policy (RV)
- Jockey Licensing Policy (RV)
- Betting Policy (RV)
- Gifts, Benefits and Hospitality Policy (RV)
- Private Interest and Probity Policy (RV)
- Prohibited Substance Control Policy (GRV)
- Conduct of jump-outs Guidelines (RV)
- Suitability policy (RV)
- Participant Protection Policy (RV)
- Safeguarding Young Persons Policy (RV)
- Speak Up Policy (RV)

## REVIEW OF PROPOSED AMENDED & NEW RULES OF RACING

The review of proposals for new or amended rules of racing relating to integrity is a core VRIB function.

To increase expediency and efficiency, VRIB's deputy chairs perform this task under delegation from the board. Each deputy has extensive knowledge of the relevant racing code, including a practical understanding of the application of the rules and interplay between the local and national rule-making bodies for greyhound, harness, and thoroughbred racing.

The controlling bodies' internal processes permit a detailed examination of the potential impact of new and amended racing rules, including consultation with each code's industry stakeholders.

At the conclusion of this process, the proposal for a new or amended rule is referred to VRIB for its review. The relevant deputy chair also considers whether the proposal raises cross-code or other issues that warrant review by the full board.

During 2022-23, VRIB reviewed 152 proposals from the controlling bodies to amend or introduce new rules / sub-rules of racing for their code. Of these 142 related to thoroughbred / harness racing and 10 to greyhound racing.

These reviews included consideration of various changes to the Australian Trotting Stud Book,

Regulations relating to changes to Australian Harness Racing Rules, as well as feedback provided on the Greyhound Racing Victoria proposed local rules stakeholder consultation process.

Further, deputy chairs considered the repeal (151) and renumbering (4) of existing rules / sub-rules resulting from the introduction of new, or amendments to existing, rules / sub-rules.

After reviewing each proposed rule, VRIB ultimately made recommendations in support or support in principle of their introduction or amendment.

The internal scrutiny applied by the controlling bodies to proposed rules means that it is unusual (but not unprecedented) for VRIB to recommend a course other than introduction of the new or amended rule / sub-rule.

# COMPLAINTS ABOUT INTEGRITY ISSUES WITHIN CONTROLLING BODIES

VRIB has a very limited complaint function under section 95H(1)(f) of the *Racing Act 1958*. It is protective in nature and intended to ensure the integrity department of each controlling body is free from undue internal influence.

The Board received no complaints during the reporting year. VRIB considers that this reflects the deterrent impact of its statutory independence and its ability to proactively respond to any attempt by a controlling body to influence its integrity department.

## Who can make a complaint to VRIB?

Designated persons who hold the following specific roles at a controlling body can make a complaint to VRIB:

- a board member or director
- an integrity manager
- a chief or deputy chief steward.

## What type of complaints can VRIB receive?

VRIB can act on complaints about integrity issues within a controlling body made by a designated person.

Under the *Racing Act 1958*, VRIB cannot accept or respond to complaints that are:

- made by any other person (including industry participants)
- made anonymously
- about any other matter that is not an integrity issue within a controlling body.

## Other complaints

If VRIB receives a complaint that falls outside its statutory power, it will refer the matter to the appropriate entity. Ordinarily, this will be the relevant controlling body or the RIC for Victorian matters, or the responsible interstate authority.

## Complaint handling policy

VRIB has a complaint handling policy that has been provided to all designated persons. The policy includes information about the Board's role, how to make a complaint and how VRIB will respond to it. The policy was reviewed in February 2023 and provided to all eligible controlling body staff in March 2023.

# CONSIDERATION OF DISCIPLINARY ACTION PROPOSED BY A CONTROLLING BODY

Section 95H(1)(j) of the *Racing Act 1958* vests VRIB with an oversight role to consider and provide direction to a controlling body about disciplinary action it proposes to take against a senior member of an integrity department about internal integrity matters.

The function is protective in nature and is intended to ensure that adverse action is not taken against a senior integrity official 'whistle-blower' for raising concerns about integrity issues within a controlling body.

Controlling bodies bear sole responsibility for their employment relationships with staff, including the consequences of any disciplinary findings made and action taken. VRIB therefore considers that, ordinarily, it will not be appropriate for it to express

an opinion about how a controlling body weighs competing considerations in favour of, or mitigating against, the different disciplinary options available to it. However, VRIB may provide guidance to assist the controlling body to determine what, if any, disciplinary sanction is open to it.

VRIB was not required to provide direction in relation to matters involving disciplinary action proposed by a controlling body in 2022-23.

## RELATIONSHIPS

### Controlling bodies

VRIB's endeavours to foster direct relationships with the controlling bodies and their integrity staff and works on a number of fronts to ensure that interactions remain active and beneficial, this includes:

- VRIB providing regular written updates to the controlling body chairs, chief executives and integrity department heads throughout the reporting period and seeking their feedback and input about the board's activities and plans.
- VRIB deputy chairs liaising with the controlling bodies, providing counsel and guidance directly to integrity department heads and their senior staff when, and as, needed.
- VRIB sub-committees facilitating informal, cross-code touchpoints between VRIB and integrity staff throughout the year.
- scheduling 'cross-code integrity meeting' with controlling body CEOs, RIC and government officials to discuss industry wide issues.
- The VRIB chair and executive officer maintaining regular contact with the VRI heads and CEOs.

In its interactions with the controlling bodies, VRIB is conscious of the need to balance the performance of its statutory functions to oversee and maintain relationships while not placing excessive burdens on those organisations.

# INTEGRITY INITIATIVES

## Racing Integrity Education Program

During the reporting period VRIB, in cooperation with the controlling bodies, the RIC and Victoria University, was able to bring to fruition the Racing Integrity Education Program.

The program is the first industry qualification of its type in Victoria or anywhere else in Australia. Its development was an ambitious initiative that VRIB believes will bring a new level of professionalism and expertise to the policing and enforcement of integrity issues in the VRI and potentially across Australia, should other racing jurisdictions also see merit in the courses offered.

The program incorporates a Graduate Certificate and a vocational package.

The Graduate Certificate is targeted at stewards and integrity officials employed within the thoroughbred, harness and greyhound racing industries. It includes training on investigations and evidence gathering as well as integrity and ethics, data management and strategic planning.

The Vocational Education Package is a short course package for professionals working in the racing industry and includes units on work health and safety, conflict management, facilitating responsible behaviour, effective collaboration, racing operations and animal welfare.

With the program having formally commenced and training underway at Victoria University, VRIB is now giving consideration to establishing a Victorian Racing Industry Education Management Committee (VRIEMC) as detailed in its Education Policy (see below).

VRIB sees the VRIEMC as providing a mechanism to oversee relationships between the controlling bodies in relation to integrity training more generally and a forum to maintain oversight of training programs delivered to integrity officials.

It is envisaged that the membership of the Committee will consist of a nominated staff member from each controlling body, VRIB and RIC with an independent Chair.

## VRIB Policies – Education & Fit and Proper Person

Following extensive consultation with the controlling bodies VRIB released two policy documents in November 2022.

The policies relate to Education and Fit and Proper Persons, with their development consistent with VRIB taking carriage of the oversight and development of the SCOP regime from the RIC.

The intention of the SCOP is to provide cross-code consistency across a range of current or emerging integrity related issues that are common to all three racing codes. VRIB taking carriage of the SCOP aligned with the Board's legislative remit to provide integrity related policy advice as per s.95H(1)(d)(i) of the *Racing Act 1958*.

VRIB's approach to developing policy advice through the SCOP framework is to provide high-level guidance in relation to integrity matters and to articulate what the Board considers to be best practice.

VRIB does not intend for the policies it issues to be prescriptive in nature, rather it sees the controlling bodies as having discretion to implement policy advice in accordance with their scope of operations and in line with their existing systems and processes.

## Education Policy

The VRIB Education Policy works to support the Racing Integrity Education Program (see above) as well as future Integrity training and education across the VRI.

The policy introduces a formal oversight framework and provides a set of guidance criteria for future integrity training programs.

Most importantly, the policy details the establishment of a "Victorian Racing Industry Education Management Committee" that would not only provide oversight of the Victorian Racing Integrity Education Program but would also:

- identify education and training opportunities across the VRI
- provide guidance for the future training of integrity officials
- establish a collaborative, "whole of Industry" approach, to integrity education development

## Fit and Proper Person Policy

VRIB's Fit and Proper Person Policy provides an understanding of what constitutes a "Fit and Proper Person" as well as detailing guidelines – a set of factors or criteria – that controlling bodies can consider in relation to their current settings and, ultimately, utilise when deciding to grant or refuse a license or registration.

VRIB is hopeful that the policy will provide the codes with a common reference point when taking decisions in relation to licensing and registration and that it will assist when and if these decisions are challenged.

## Cross-code Integrity meetings

Having commenced in the previous financial year VRIB convened two cross-code integrity meetings in 2022-23 (October 2022 & April 2023).

The meetings bring together controlling body Chairs and CEOs to discuss integrity issues in general, as well as the challenges and opportunities in relation to improving integrity oversight. RIC and other senior government officials also attended. Moreover, the meetings have worked to provide a forum for frank and comprehensive discussion of the key issues at an industry level.

VRIB believes that these bi-annual meetings strike the appropriate balance in relation to the Board performing its statutory functions to oversee and maintain relationships with the controlling bodies while not overburdening the codes with an excessive meeting schedule.



# CROSS-CODE BEST PRACTICE AND STANDARDISATION: VETERINARY REGISTRATION & PERSONAL DEVICES

## Veterinary Registration Schemes

Throughout the reporting period VRIB has advocated through various forums for the controlling bodies to adopt best practice in relation to integrity matters and/or standardise their approaches.

In this regard, VRIB has for some time been advocating for industry wide veterinary registration schemes. Such schemes work to provide a level of oversight in relation to the provision of veterinary services and ensure the probity of veterinarians who treat racing animals.

VRIB is firmly of the view that to adequately monitor and regulate the integrity of the racing industry in the Victoria, it is essential that veterinarians who provide services to animals, be registered with the relevant controlling body in order to provide those services.

Pleasingly, Racing Victoria has such a system in place, while Harness Racing Victoria has committed to introducing a new veterinary licensing category. VRIB continues to engage with Greyhound Racing Victoria in relation to it implementing a scheme for its code.

VRIB is of the view that ultimately, the effectiveness of individual registration schemes will be enhanced if there is conformity on this issue across the VRI.

## Use Of Personal Devices By Integrity Staff

VRIB has for some time now had concerns in relation to the use of personal devices (i.e., mobile devices such as smartphones / tablets etc) by integrity staff within the controlling bodies.

While acknowledging that the use of personal devices can assist in promoting workplace flexibility and saving costs, VRIB is of the view that the use of these devices by employees in the workplace carries with it inherent risks and challenges. These risks and

challenges are heightened when considered in the context of integrity staff and the use of devices for gathering evidence.

Given this, of central concern to VRIB is the potential for the use of personal devices to undermine integrity related investigations / prosecutions due legal and / or technical issues that may arise in obtaining any evidence or other material stored on an employee's personal device.

In response to these concerns VRIB determined to make the following recommendation to the controlling bodies (Racing Victoria and Harness Racing Victoria) under section 95H(1)(c) of the Racing Act 1958:

- Where practicable staff are provided with dedicated work devices (i.e., mobile devices such as smartphones / tablets) issued by the controlling body, where these devices are used for integrity related matters or functions.
- Where the provision of a dedicated work device is not practicable, that personal devices are not used by integrity staff to gather / store evidence in relation to investigations or inquiries.

Prior to making these recommendations VRIB engaged with the controlling bodies to better understand their position in relation to the use of personal devices, the details of any policies or procedures in place to govern their use, as well as the details of any other measures in place to mitigate the risks associated with employees using personal devices.

VRIB believes that the recommendations developed serve to both articulate what it sees as best practice (i.e., the use of dedicated work devices by integrity staff), while also providing some flexibility.

VRIB is continuing to engage with the controlling bodies on personal device use as well as the use of body cameras by integrity staff.

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**GOVERNANCE**



# CORPORATE REPORTING

VRIB has a corporate governance and legislative compliance program to ensure it meets its legal and governance obligations, including the development and regular review of VRIB policies and processes for conflict of interest, fraud, confidentiality, document and records management, risk management, financial management and workplace standards

## Financial reporting

VRIB is funded by the VRI on a costs recovery basis through the Department of Justice and Community Safety (the Department). Detailed reporting about its financial performance, workforce data and other disclosures under the *Financial Management Act 1994 (Vic)* are included in the Department's annual report.

## Shared services

VRIB receives support from the Department for a range of corporate services, including information technology, human resources, and finance.

## Public sector conduct

VRIB and its staff abide by the Victorian public sector codes of conduct.

## Conflicts of interest

VRIB abides by the Victorian public sector model conflict of interest policy and maintains registers of private interests and gifts, benefits and hospitality. Board members and the executive officer complete an annual declaration of private interests.

## 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, which includes compliance with the Victorian Protective Data Security Framework.

## Consultancies

VRIB did not engage any consultants during 2022-23.

## Freedom of information

The *Freedom of Information Act 1982 (Vic)* (the 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.

## Public interest disclosures

The *Public Interest Disclosure Act 2012 (Vic)* 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.

Enquiries about access to VRIB documents can be made to –

### Freedom of Information Request Victorian Racing Integrity Board

Level 16, 121 Exhibition Street  
Melbourne Victoria 3000  
GPO Box 4509 Melbourne Victoria 3001  
[enquiries@vrib.vic.gov.au](mailto:enquiries@vrib.vic.gov.au)

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 Victoria 3000  
1300 735 135  
[www.ibac.vic.gov.au](http://www.ibac.vic.gov.au)

### Victorian Ombudsman

Level 2, 570 Collins Street  
Melbourne Victoria 3000  
03 9613 6222  
[www.ombudsman.vic.gov.au](http://www.ombudsman.vic.gov.au)  
[www.djpr.vic.gov.au/victorian-racing-integrity-board](http://www.djpr.vic.gov.au/victorian-racing-integrity-board)



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