

AMENDMENTS TO RULES OF RACING

Amendment No 197 - Issued 12 August 2021

The Racing Victoria Board has approved the following amendment to the Victorian Local Rules of Racing.

AMENDMENT TO THE VICTORIAN LOCAL RULES OF RACING: LR 95A

FAILURE TO COOPERATE WHILE BEING RECORDED

SUMMARY OF AMENDMENT

It is vitally important that when Stewards/Investigators are undertaking their duties, they be able to record an interview, investigation, inquiry or hearing. Failure to do so could jeopardise the integrity of the industry.

In circumstances where a participant refuses to participate in a recorded interview, investigation, inquiry or hearing; AR 232(c) and (d) are the most likely general rules that the Stewards could consider using to charge and penalise for such conduct. AR 232(c) and (d) are provided below:

AR 232 Failure to observe processes and directions of PRAs or Stewards

A person must not:

- (c) while the Stewards are exercising their powers, performing their functions or carrying out their duties:
 - (i) refuse to obey a reasonable direction of the Stewards;
 - (ii) obstruct, hinder or delay the Stewards in exercising their powers, performing their functions or carrying out their duties; or
 - (iii) incite any other person/s to obstruct, hinder or delay the Stewards from exercising their powers, performing their functions or carrying out their duties, or fail to prevent any other person/s on premises the Stewards have entered under AR 22(1)(I) from doing so.
- (d) while any investigator appointed by a PRA under AR 15(c) is exercising their powers, performing their functions or carrying out their duties:
 - (i) refuse to obey a reasonable direction of the investigator;
 - (ii) obstruct, hinder or delay the investigator in exercising their powers, performing their functions or carrying out their duties; or
 - (iii) incite any other person/s to obstruct, hinder or delay the investigator from exercising their powers, performing their functions or carrying out their duties

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Despite the availability of AR 232(c) and (d), it was considered beneficial for the integrity of the industry for a Local Rule to be implemented to make it <u>expressly clear</u> that a failure to participate in a recorded interview, investigation, inquiry or hearing, could be considered to be a breach of the Rules of Racing.

Accordingly, The Racing Victoria Board has approved the introduction of AR 95A.

Amendments effective from 23 August 2021

LR 95A BE ADDED AS FOLLOWS:

LR 95A Failure to cooperate while being recorded

- (1) For the purposes of AR 232(c) and (d):
 - (a) a person will have refused to obey a reasonable direction of the Stewards or the investigator if they refuse to participate in an interview, investigation, inquiry or hearing in circumstances where a Steward or investigator has given a direction to participate in an interview, investigation, inquiry or hearing while being recorded; and
 - (b) a person will have obstructed, hindered or delayed the Stewards or investigator in exercising their powers, performing their functions or carrying out their duties if they refuse any reasonable direction from a Steward or investigator to take part in an interview, investigation, inquiry or hearing while being recorded.
- (2) <u>Reference to "recorded" in LR 95A(1) includes, but is not limited to, being recorded by video camera, body-camera, telephone, or voice recorder.</u>

To view the current version of the Rules of Racing, please visit the following link to the Racing Victoria website: http://rv.racing.com/racing-and-integrity/rules-of-racing