Report prepared for New Zealand Thoroughbred Racing Inc. on the abandonment of Hawke's Bay Racing Inc's Race Meeting on Saturday 19 September 2015

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REPORT ON THE ABANDONMENT OF RACE MEETING

Background

On Saturday 19 September 2015, the second day of the Spring Racing Carnival held by Hawke's Bay Racing Incorporated (**HBRI**) was abandoned after the running of the third race due to concerns regarding the safety of the track.

The abandoned race meeting was scheduled to include a Group 1 race and a Group 3 race, and formed an important part of New Zealand's spring racing, and pattern racing, calendar. As such, the abandonment of the meeting has had wide ranging consequences for persons involved with the meeting.

We have been appointed by New Zealand Thoroughbred Racing Inc (**NZTR**) to consider and report on:

- the circumstances that led to the HBRI meeting on 19 September being abandoned and the process followed in deciding to abandon the meeting; and

- the existing NZTR and Racing Integrity Unit (**RIU**) processes and procedures for Race/Trial/Meeting Abandonments and Track Performance Issues (the **Procedures**), and whether any changes should be made to those Procedures.

Our report on the abandonment of the HBRI race meeting on Saturday 19 September is set out below. It comprises two main parts. Part One deals with events leading up to the meeting. Part Two deals with events on the day of the meeting.

For the purposes of our report we have either met with or interviewed:

Mr Ross Neal, Co-Chief Stipendary Steward, Greyhound/Harness/Thoroughbred Racing, RIU

Mr Andrew Castles, General Manager, HBRI

Mr Richard Fenwick, Track Manager, HBRI

Mr Garry Foskett, National Venue Inspector, NZTR

Mr Jim Murphy, Principal of Turftech

Mr Neil Goodwin, Stipendary Steward, RIU

Mr Dave Taylor, National President, NZ Jockeys Association

Mr Opie Bosson, Jockey

Mr Jonathan Riddell, Jockey

Mr Michael Coleman, Jockey

Mr Craig Grylls, Jockey

Mr Leith Innes, Jockey

Ms Sam Spratt, Jockey

Ms Lisa Allpress, Jockey

Mr Mick Goodie, Track Manager (Flemington), Victoria Racing Club

Mr Lindsay Murphy, General Manager, Race Courses, Australian Turf Club

Mr Jason Kerr, General Manager - Race Courses, Racing Department, Melbourne Racing Club

Mr Tony Pike, National President, NZ Trainers Association

Mr Allan Sharrock, Racehorse Trainer

We would like to thank all of the interviewees for their cooperation. They all willingly and generously made their time available and were happy to answer all of our questions.

We have also read the report prepared by Jim Murphy following his independent review of the Hastings track, a copy of which is attached to our report. In addition, we received and considered a written submission from the RIU and written reports from Richard Fenwick and Garry Foskett.

REPORT

Part One: Preparation of the track

1. The first day of HBRI's Spring Racing Carnival was held on Saturday 29 August 2015. Racing that day was held on a Dead 6 track, which was upgraded to a Dead 5 track after the running of race 2. No concerns appear to have been raised by jockeys riding at that meeting regarding either the quality or the safety of the track surface.

2. Following that race day, standard track maintenance (such as replacing divots by rake, mowing and light rolling) was carried out. In addition, the running rail was moved out five metres from its true position for the full circumference of the track. We were advised that moving the running rail out five metres for the second day of the Spring Racing Carnival has become standard practice and is intended to ensure that the track "races" evenly on the final day of the Spring Racing Carnival.

3. In the two week period after the meeting on Saturday 29 August, the track had approximately 20mls of rain.

4. On Saturday 12 September, two horses trained by John Bary galloped on the course proper. The riders of those horses did not report any difficulties with the footing that their mounts were able to get. Although a penetrometer reading was not taken, Richard Fenwick's view, based on that gallop, was that the track was a Dead 4 on Saturday 12 September.

5. The long-range weather forecast at that stage was for rain on Friday 18 September, with the rain continuing into Saturday. As the week progressed, the time when the rain was forecast to reach Hastings was "pushed back".

6. On the morning of Monday 14 September, Garry Foskett attended the Hastings track to move the sectional timing pole. He observed that the track appeared to have "firmed up considerably" and was of the view that racing would be conducted on a very firm surface on Saturday 19 September unless action was taken. He had a discussion with Richard Fenwick regarding the track and Richard's plans for the week. Richard indicated that he would be irrigating. The use of a ground hog[1] was discussed but both Garry and Richard came to the view that "water was the solution". Their view at that time, based on their knowledge and understanding of the Hastings track, was that the track was good for racing but water should be applied to ensure that the surface did not dry out too much, especially as warm weather was forecast for the week. Garry and Richard also felt that watering the track could avoid potential issues in the event that the forecast rain arrived during the course of the meeting. We were advised that the core samples taken by Richard that

[1] The ground hog is a track management tool with blades or tines around 10 to 12.5 centimetres long that can be set to a certain depth and angle. Garry Foskett advised us that a ground hog can be used to aerate the upper level of a track that has become very firm, so as to allow moisture to get into the ground. In particular, it could be used as a precaution prior to a race meeting if showers were forecast for that day and could also be used on a race day to help "rough up" the surface. Some clubs have a slicer or spiker that can be used to the same effect.

day (of approximately 15 to 20 centimetres in depth) showed that the top 2.5 to 5 centimetres was drier than the rest of the sample.

7. On the morning of Tuesday 15 September, the penetrometer reading for the track was a Good 3. Richard Fenwick applied 8mls of water to the track that day.

8. On the morning of Wednesday 16 September, the penetrometer reading was a Dead 4. Two horses trained by John Bary galloped on the course proper, approximately six metres out from the running rail (i.e. approximately 11 metres out from the rail's true position). No issues were raised with the track following that gallop. The gallop did not give Richard Fenwick any cause to reconsider the decision not to use a ground hog earlier in the week. A further 5mls of water was applied to the track that day.

9. On the morning of Thursday 17 September, the penetrometer reading was again a Dead 4. Taking into account the forecast for the rest of the week, Richard Fenwick decided to apply a further 3mls of water to the track that morning but that no further irrigation would be applied after that time. The additional 3mls of water was applied by 10am on that day, being approximately 50 hours before racing was due to commence on Saturday 19 September.

10. In total, therefore, 16mls of water was applied to the track from the morning of Tuesday 15 September until 10am on Thursday 17 September. Richard Fenwick had taken core samples (again approximately 15 to 20 centimetres in depth) throughout the week and following the application of the final round of irrigation on Thursday 17 September. We were advised that the samples taken by Richard on Thursday showed that moisture was deep and even throughout the sample.

11. On Friday 18 September, Richard Fenwick used a ground hog at each of the starting positions for Saturday's racing to "rough up" the track surface at the starting points, the purpose being to reduce the risk of horses slipping at the start of a race. This is a practice that had been implemented by the Auckland Racing Club at its Ellerslie racecourse and was subsequently adopted by HBRI. The use of the ground hog was not driven by concerns regarding the safety of the track. The weather was warm that day with a drying north-easterly wind. Further core samples (again approximately 15 to 20 centimetres in depth) were taken by Richard on Friday 18 September. We were advised that those samples also showed moisture was deep and even throughout them.

12. On the morning of Saturday 19 September, the penetrometer reading was on the cusp of a Good 3 and a Dead 4. There had been a heavy dew overnight. Two horses were galloped on the inside of the course proper, a practice that is adopted for each HBRI race meeting (other than jumps meetings). This practice is intended to reassure Richard that the track is in good order for racing and to give him an opportunity to remedy any issue that the gallop may highlight. We understand that the two horses were ridden by experienced riders and that neither rider had any concerns regarding the state of the track.

13. Mr Ross Neal arrived at the track approximately 2.5 hours before the first race was due to start. He drove around the track and stopped at three points to inspect it more closely. He then walked up the straight. In his view, the track was in very good order for racing.

Comments

Use of irrigation

14. We are aware that concerns have been expressed:

    (a) that too much irrigation was applied to the track and that it was applied too close to the race day; and

    (b) conversely, that the track was too firm at the start of the race day, with the result that horses were unable to get good footing.

15. We are also aware there is a view that no irrigation should be applied after a certain time in the week leading up to a race meeting (e.g. after nominations or withdrawals).

16. Although the issue of irrigation is a matter to be considered in more detail in a subsequent review, we are of the view, based on our discussions with the various track managers referred to above and Jim Murphy, that there should not be a hard and fast rule for the irrigation of tracks prior to a race meeting that applies universally to all tracks. Each track is different, with a different soil structure and different characteristics. It is necessary therefore to understand the soil structure at a track and how it operates in order to be able to determine the correct water profile and irrigation regime for the track. Weather conditions and weather patterns are also important, and impact on the use of irrigation. We note in this regard that despite the long-range forecast, it did not rain in Hastings until after the meeting was abandoned, which highlights one of the difficulties track managers face when considering whether and how much to water. This is especially the case in the Spring when forecasts and weather conditions can change quickly.

17. We understand from our discussions with Jim Murphy that for a track with soil of the type at Hastings it is necessary to have water properly through the soil profile four days out from a race meeting. In the summer, it is necessary to start watering early in order to ensure that this is achieved. A different approach can be taken in the winter and early spring given that there will ordinarily be water in the soil profile. The "second drop" penetrometer readings taken by Richard Fenwick (which are set out in Jim Murphy's report) indicate that the water profile was appropriate for the track and in particular that it was not too dry. Based on those readings, Jim Murphy is of the view that the track was in a good state for racing and in particular that water was not applied too late or inappropriately. We note in this context that one of the Australian managers we spoke to was of the view that the irrigation programme for the meeting on 19 September was "text book" in that, in his view, irrigation should cease two days before a meeting unless weather conditions dictate otherwise.

18. The core samples that Richard Fenwick had taken from the track early in the week showed that the moisture was deep in the track. One of his aims in irrigating was to "even up" the moisture profile throughout the track. We were advised that the core samples that he took after irrigation had been applied indicated that there was an evenness of moisture through the samples.

19. Jim Murphy did state in our interview with him that personally he may have applied an additional 3mls of water on the Wednesday and not applied any water on the Thursday. That said, he did not believe that there would have been any negative consequences as a result of applying an additional 3mls of water on the Thursday morning rather than applying that water on the Wednesday. Overall, it is his view that there was nothing in the soil characteristics, as shown from the core testing undertaken by Richard Fenwick and the core samples taken on race day by Garry Foskett that he inspected (and from his own observations while walking the track on Tuesday 22 September), to suggest that horses would slip or lose their footing. Rather, his inspection of the track showed a track that, in his view, had performed as expected. In subsequent discussions with Jim (see below), he indicated that his fellow principal at Turftech (Mr Tony Fields) was of the view, by contrast, that applying 10mls early in the morning on the Thursday should have resulted in a perfect track.

20. We asked Richard Fenwick whether, in hindsight, applying all of the 16mls of water to the track on the same day (e.g. on Tuesday) would have made a difference to how the track performed. Richard did not think this would have made a difference nor that it would have been the correct approach to take given the weather forecast at the time. In particular, it was likely that the water would have evaporated by the end of the week, with the result that the track would have had a very firm top layer. In addition, the forecast rain, if it had arrived on Saturday during the races, could have been very problematic for the meeting if the track had a very firm top layer.

21. Given the penetrometer reading of a Good 3 on the Tuesday morning, we think it was reasonable for Richard to adopt the irrigation regime he did given his previous irrigation practices during his nine years as the track manager at HBRI and his understanding of the track's soil structure and its responsiveness to irrigation. This is especially the case as the core samples taken after watering commenced on Tuesday showed that water had penetrated properly through the core samples.

22. We also asked Richard whether in hindsight the track had become too firm by the Tuesday morning and whether there might have been a different outcome on Saturday 19 September if the track had been maintained at a genuine Dead level through to the Tuesday morning.

23. Richard accepted that, with the benefit of hindsight, it might have been better and there might have been a different outcome if he had applied more water much earlier than he did. That said, the track was, in his view, a Dead 4 on the morning of Saturday 12 September, and there were showers (amounting to approximately 0.5mls) and a cold southerly that day. Accordingly, there should not have been too much drying on the Saturday. In addition, rain was forecast for Friday 18 September. If that rain had arrived and Richard had irrigated extensively over the weekend or say Monday 14 September, the track may have deteriorated very quickly and then there may have been criticism for irrigating when rain had been forecast. Accordingly, he elected to wait and see what happened with the weather forecast as the week progressed. By Tuesday 15 September, it had become clear to Richard, based on the weather and the weather forecast at that time, that he would need to irrigate. As set out earlier, the core samples taken by Richard after he began irrigating showed that the water applied to the track had soaked evenly through the soil profile.

24. When we put the same question to Jim Murphy of Turftech, he stated (as indicated above) that his fellow principal at Turftech (Mr Tony Fields) was of the view that if 10ml had been applied to the track in the early morning on Thursday 17 September, the track should have been perfect. In saying this, he noted that the weather forecast was for rain on Saturday 19 September. He also noted that there is no way that tracks can be maintained at Dead 4 or Dead 5 all the time as that would impact adversely on soil structure.

25. In raising the firmness of the track on the Tuesday morning, we understand the predicament track managers find themselves in when the long range weather forecast is for rain. They have to walk a fine line when it comes to track preparation and make judgments based on their understanding of weather patterns and their understanding of their track. We also understand why Richard made the decisions he did about irrigating the track, and do not believe that the approach he took was unreasonable in the circumstances, knowing what he knew at the relevant time.

26. We note in this context that under NZTR's Minimum Venue Guideline Standards, racing clubs are required to manage their irrigation systems with the aim of providing a track rated as a Good 3 on the morning of a race meeting, or some other suitable rating as is determined between the relevant club and NZTR. We understand from our discussions with the Australian track managers that a similar approach is adopted for their racetracks. Based on our discussions with Richard Fenwick and Garry Foskett, and given the weather during the week leading up to the meeting, we are of the view that the track would not have been a Good 3 on the morning of Saturday 19 September if it had not been irrigated during the week.

27. Although the nature of the soil and grass at the Australian racetracks is different to that in New Zealand, we are aware from our discussions with Australian track managers that they are not subject to any restrictions regarding the amount of water they can apply to their tracks nor when water can be applied. They are able to water as and when they believe necessary in order to produce the track in the best possible condition for racing. In particular, metropolitan racetracks in Victoria and New South Wales can be, and often are, watered on the day (and even on the night) before a meeting if the track manager considers that watering is necessary to produce the track in its best possible condition for racing. We were advised that in the past there were procedures in New South Wales that would have prevented the application of water after a certain period of time before a race meeting but those practices no longer apply. Instead, track managers now water as and when necessary.

Use of ground hog

28. As indicated earlier, there was a discussion between Garry Foskett and Richard Fenwick on Monday 14 September regarding the possible use of a ground hog at that stage in view of the firmness of the track. Given Richard Fenwick's understanding of the track and his experience with its reaction to irrigation, we believe it was reasonable for him to come to the view that irrigation would remedy the firmness and provide a good racing surface on the Saturday. In this

regard, the irrigation regime he followed during the week was very similar to those he had followed previously without any issues being experienced with the racing surface.

29. That said, we question whether, in hindsight, there would have been a better outcome (namely, the meeting would have been able to continue) if the ground hog had been used early in the week. When we put this possibility to Jim Murphy, he agreed that using the ground hog at that stage may have been a good idea (even if only as an "insurance policy"), and probably would have improved the chances of the meeting being completed if it had of been used. Garry Foskett on the other hand did not think that using the ground hog would have made a difference to the outcome.

30. When we put the possible use of the ground hog early in the week to Richard Fenwick and whether doing so might have made a difference, he agreed that use of the ground hog could have made a difference to how the track performed. However, when he discussed the possible use of the ground hog with Garry Foskett on Monday 14 September, his reason for using the machine would have been to allow the proposed irrigation to get through the soil easier and give an even coverage. The core samples taken later during the week showed that water had soaked through the soil properly and evenly. Richard also said that if either of the gallops on the course proper on the Wednesday or Saturday morning had given him any concerns or that there was any evidence of slipping, then he would have had no hesitation in using the ground hog machine on the track at that stage.

31. Based on our discussions with the Australian track managers, it seems to us that there is much greater use of machinery on their tracks between, and in the period leading up to, race meetings and there seems to be wide variety of machines used on their tracks. In our view:

    (a) greater consideration should be given to the use of machinery in the period leading up to a race meeting; and

    (b) the types of machines available, and their benefits, should be investigated to see whether New Zealand track managers have access to the right machinery to enable them to produce racetracks in the best possible condition.

Presentation of track

32. We are aware of comments that the track was presented in an unsafe condition.

33. Garry Foskett and Jim Murphy do not agree, based on their respective inspections, that the track was presented in an unsafe state. In particular, Garry Foskett was of the view on race day that the track had been presented in "good order" and showed no signs of any issues. This is consistent with the impression that Ross Neal gained when he inspected the track on Saturday morning before racing commenced.

34. Concerns have also been expressed that there are issues with the camber at the Hastings track around the home turn and that these issues are exacerbated when the rail is moved out. We put this concern to Garry Foskett, who advised us that there is at least 3% camber on the inside 15 metres of the track when the running rail is in its true position and that while there is some negative camber much wider on the track (i.e. more than 15 metres out from the running rail in its true position), there should, in his view, have been sufficient camber on the track where horses were racing on Saturday 19 September even though the rail had been moved out five metres. Garry also advised us that a camber of 3% to 5% is typical.

35. Finally, concerns have been raised that there is a "hard pan" under the surface at the Hastings track and that this caused, or contributed to, the track being shifty and caused horses to slip. We put this concern to Garry Foskett and Jim Murphy, who were both strongly of the view that there is not a "hard pan" at the Hastings track. In particular, Garry Foskett (who took core samples on race day from the area where the horse slipped in Race 3) advised that he would not have been able to obtain those core samples (or as easily as he did) if there had been a "hard pan". We were advised by Garry that the core samples he took were consistent in quality and showed that moisture was consistent through to the bottom of the cores, which were approximately 15

centimetres in depth. Jim Murphy also disagreed that there is a "hard pan" at Hastings based on his work on the track. In his experience, the Hastings track is very free draining and would not drain as well as it does if there was a "hard pan" under the surface.

Position of running rail

36. As indicated earlier, the running rail was moved out 5 metres following the race meeting on Saturday 29 August. Andrew Castles did question in our discussions with him whether, in hindsight, that was the correct approach. We recommend that the practice of moving the rail out after the first day of the Spring Racing Carnival be reconsidered. Given that there is a break of three weeks between meetings, it is not clear to us that the rail should have to be moved (unless racing on the first day of the Carnival was held on a wet track and the track was badly "cut up" as a result). If the rail had not been moved, horses would have been racing on the same ground that had been used on Saturday 29 August and the concerns that arose during the course of the meeting on Saturday 19 September may not have arisen, as horses should have been able to get better "purchase" on the used ground (although we recognise this is speculation on our part). Leaving the rail in its true position would also address the concerns that have been expressed about the camber wide out on the turn into home straight at Hastings.

Part Two: Events on race day

1. Immediately prior to the running of Race 1 on Saturday 19 September, there was a very light and brief shower of rain. Potentially, this could have resulted in the track being slightly greasy for that race.

2. Following the running of Race 1, jockey Opie Bosson reported that his mount had lost its footing near the 800 metre mark. We understand that another jockey reported to the trainer of his mount in Race 1 that it had slipped at around the 600 metre mark, although the jockey did not express any concerns to the trainer regarding the state of the track and did not report the matter to the RIU Stewards. A third jockey described the track as "greasy".

3. If safety concerns are raised during the course of a race meeting, there are procedures that are required to be followed. Those procedures are attached to this report and form part of the Procedures. (We discuss the compliance with those Procedures in more detail below.)

4. On being advised by Opie Bosson that his mount had lost its footing, Ross Neal asked the other two RIU Stewards, Mr Alan Coles and Mr Neil Goodwin, to inspect the area of the track where the horse was said to have lost its footing. Independently of this inspection, Richard Fenwick and Garry Foskett also decided to look at that area of the track. There is some disagreement as to whether or not any slip, or other similar, marks were evident at that part of the track.
Neil Goodwin advised us that a "forward slip" mark of approximately 1½ feet in length was visible. However, both Garry Foskett and Richard Fenwick advised us that they did not see any slip marks. In addition, Jim Murphy has advised us that he did not see any slip marks in that area of the track when he inspected the track on Tuesday 22 September. Ultimately, this disagreement does not particularly matter. We accept that Opie Bosson felt his mount lose its footing in that area of the track.

5. All parties who inspected the track did agree that there were a number of hoof marks in the area where the horse was said to have lost its footing but in their view there wasn't anything "out of the ordinary" based on the various track inspections that they had all undertaken over years (other than the slip mark that Neil Goodwin states was visible). In Jim Murphy's view, the footing in the area was exactly what he would expect to see from a well-prepared surface. He saw clear outlines of hoof impacts on the ground and overall he thought there looked to be good "purchase" for horses based on what he saw (noting that his inspection did not take place until Tuesday 22 September after the ground hog had been used on the track).

6. At the time of the informal track inspection following Race 1, the possibility of using the ground hog on the track in that area was raised with the two RIU Stewards. The proposal was dismissed by them.

7. We understand from our discussions with Ross Neal it is now common practice for RIU Stewards to conduct an initial, and informal, inspection of the area of a track where concerns have been raised.

8. After the area had been inspected by the two RIU Stewards, the RIU Stewards had a meeting with all jockeys. Ross Neal advised us that the general consensus of the jockeys was that the track was a little "shifty" but would improve with racing. The jockeys were therefore willing to continue riding and the RIU Stewards decided that in the circumstances it was not necessary to proceed with a full track inspection in accordance with the Procedures at that stage. The use of a ground hog was also raised with Ross Neal following Race 1. Garry Foskett advised us that he did not push the use of a ground hog at that stage because he did not think it was necessary to do so. Jockeys were willing to continue riding and the RIU Stewards were happy for the meeting to continue.

9. No concerns were raised regarding the track following the running of Race 2.

10. After the running of Race 3, jockey Jonathon Riddell said that his mount had slipped free of interference entering the home straight. The horse could be seen slipping on Trackside's coverage of the race and the incident appeared to be significantly worse than the incident in Race 1. Ross Neal also referred to a second incident where another runner received a bump and took some time to regain its footing and its stride. Accordingly, a further meeting was held with the jockeys.

11. We understand from Ross Neal that a number of concerns were raised by jockeys in that meeting regarding the safety of the track. We were advised that a number of senior jockeys expressed the view to the RIU Stewards that something was "not right" with the track and that their horses were "shifting" underneath them, and made it clear to the RIU Stewards that they had serious concerns about the track.

12. A meeting was then held involving jockeys and HBRI executives and officials. Inadvertently, representatives of the trainers were not invited to that meeting. In addition, the area where Jonathon Riddell's mount had slipped was not inspected by anybody.

13. At this meeting, HBRI again raised the use of a ground hog. Jockeys were not fully aware of the machine and what it might do, and had no great experience of riding on a track after it had been subject to remedial work involving a ground hog. Garry Foskett explained to jockeys how the ground hog worked and what it would do; in particular, that it would break up the ground and should allow horses to get a better footing. Following the explanation of the ground hog and its impact, the general reaction of jockeys was that they were prepared to continue riding after the ground hog was used. However, the view was also expressed by a number of senior jockeys that they would be riding "within themselves" and would not ride as competitively as they ordinarily would because of their concerns regarding the track.

14. By this stage, the RIU Stewards had formed the view, based on their meeting with the jockeys and their own observations, that the track was unsafe for racing and that they were not willing to use the jockeys at "test pilots" to see if the track was safe. From the RIU Stewards' perspective, the safety of jockeys and horses is paramount. They did not want to put jockeys and horses at risk on a surface that was not providing true footing. In addition, they were not in favour of using the ground hog. In the RIU Stewards' view, it was unclear how the track would perform once the ground hog had been used on it and, as indicated above, they had concerns about the manner in which jockeys would ride after it had been used. In particular, the use of a ground hog was not seen by the RIU Stewards as providing a guarantee that the track would be made safe.

15. The RIU Stewards were also concerned understandably by statements made by some jockeys to the effect that while they were prepared to keep riding, if it had been an "industry day" they would not be continuing to ride. In the RIU Stewards' view, there cannot be a level of safety that is acceptable for low-key meetings and a lesser level of safety for major race days. A track is either safe or it is not.

16. After taking into account all the circumstances, the RIU Stewards concluded that:

(a) the track was unsafe for racing based on their observations and their discussions with jockeys;

(b) based on past history, the ground hog machine was not certain to mitigate the risk caused by the unsafe track;

(c) riders would not be riding competitively even if the machine had been used; and

(d) if it had been a feature or industry race day, the jockeys would be recommending that the meeting be abandoned.

17. Accordingly, the RIU Stewards decided to abandon the meeting.

18. We have spoken to a number of the jockeys who rode on Saturday 19 September (Mr Opie Bosson, Mr Jonathan Riddell, Mr Michael Coleman, Mr Craig Grylls, Mr Leith Innes, Ms Sam Spratt and Ms Lisa Allpress). In summary:

(a) descriptions of the track by some of the jockeys included that the track was slippery, uneasy, not up to scratch, not feeling comfortable, not 100%, not feeling right, and not safe. In contrast, other jockeys said that they found the track fine and did not have any issues with it;

(b) while there was a consistent view that the jockeys would have been happy to continue riding, including after the use of the ground hog (although one comment was made to us that that would not have been the case if it was a midweek meeting), a number of the jockeys said that they would not ride to their full extent and may have been cautious;

(c) some frustration was expressed by jockeys about the process that was adopted in that the jockeys had said that they would have been happy to ride after the use of the ground hog but they were then told that this would not be used; and

(d) overall, the majority of the jockeys we spoke to said that they felt that the RIU Stewards had made the right decision to abandon the race meeting and that they had no other option.

19. The NZ Jockeys Association supports the approach taken by the RIU Stewards. In particular, it agrees that the track was unsafe for racing, that jockeys should not be used as "test pilots" to see if a track is safe or not and that a different standard of safety cannot apply for different types of race days.

Comments

The Procedures

20. Ross Neal acknowledges that the prescribed Procedures were not followed. In particular, a formal "Inspection Team" was not convened and the area where the slip occurred in Race 3 was not inspected by that team. In our view, this impacted on the quality of the decision-making process. Put another way, following the prescribed Procedures would in our view have meant there was a better decision-making process. That said, we recognise entirely that the same decision may still have been reached - the meeting may still have been abandoned. However, if the prescribed procedures had been followed, all stakeholders would, at least, have had an opportunity to have direct input into the decision ultimately made by the RIU Stewards.

21. Importantly, the area where Jonathon Riddell's mount slipped in Race 3 was not inspected by anybody following Race 3 and before the decision was made to abandon the meeting. Again, an inspection of that area may not have led to a different outcome in the circumstances. However, an inspection could have shown that the slip was due to circumstances affecting that specific area of the track. If so, it may have been possible to remedy that area and for the meeting to continue.

22. We understand from the RIU Stewards that at times it can be difficult putting together an inspection team. Trainers and jockeys can be concerned that they will be criticised personally if

they are seen to be part of an inspection team when racing is abandoned and some jockeys in particular can feel pressure to ride. However, the Procedures do currently require a team to be put together and for a track inspection to take place. This requirement can be considered as part of the wider review of the Procedures that will also be undertaken.

The use of machinery

23. The safety of jockeys and horses is paramount when considering whether a meeting should continue or be abandoned and we are not in any way suggesting that jockey and horse safety be compromised but the HBRI meeting on 19 September was an important meeting in New Zealand's spring racing calendar and was also an important meeting in New Zealand's overall pattern racing calendar. In addition, the loss of a meeting such as the meeting on Saturday 19 September comes at a significant cost to the affected club, industry participants and the industry as a whole. We are of the view that all options which could potentially "save" a meeting of that nature ought to be fully investigated and explored. Accordingly, we are of the view that greater consideration should have been given to the use of a ground hog on the day. We understand from our discussions with both Andrew Castles and Richard Fenwick that there was enough time to use the ground hog.

24. In deciding whether or not to allow the use of the ground hog, the RIU Stewards drew on their experience and knowledge of race meetings where machinery had been used in the past. In their experience, there had been a number of occasions where the use of machinery such as a ground hog had not solved an issue with the track.

25. However, Mr Andrew Castles has had first-hand experience of using a ground hog on raceday. He advised us that track concerns had been raised during a major meeting of the Auckland Racing Club while he was employed by the club. The race meeting was delayed while the ground hog was used on the relevant part of the track, and the meeting subsequently continued without further incident. Accordingly, Andrew Castles is of the view that a ground hog should have been used in an endeavour to "save" the meeting.

26. If the ground hog had been used, the track could then have been inspected by a properly constituted inspection team and, following the inspection, a decision could have been made as to whether or not the meeting could proceed. We acknowledge that the outcome may have been the same. That is, the meeting may still have been abandoned. However, we do not know that for certain.

27. Under the Health and Safety in Employment Act (which remains in force until the Health and Safety at Work Act largely comes into force in April 2016), all practicable steps must be taken to eliminate significant hazards to employees at work. If that is not possible, those hazards must be isolated and, failing that, all practicable steps must be taken to minimise the likelihood that the hazard will be a cause or source of harm to the employees.

28. Under the new Health and Safety at Work Act, any person who has a duty under the Act is required to:

    - eliminate risks to health and safety, so far as is reasonably practicable; and
    - if it is not reasonably practicable to eliminate risks to health and safety, to minimise those risks so far as is reasonably practicable.

29. Under both the current and new health and safety legislation, hazards must be eliminated and, if that is not possible, minimised. The use of appropriate machinery on a raceday to eliminate or minimise any hazards to jockeys riding on the track is therefore consistent with the requirements of the health and safety legislation. Accordingly, we do not believe that the use of machinery should be quickly dismissed if it could potentially allow a race meeting to continue. Whether or not the use of machinery has in fact eliminated or minimised the hazard such that racing can continue is something that would need to be determined by the RIU Stewards in consultation with jockeys and other parties identified in the Procedures.

30. We are aware that machinery has been used successfully during racedays in Australia to remedy track safety concerns. For example, a meeting at Caulfield was delayed while "knives" were put through the affected area. The meeting was then completed without incident. More recently, machinery was used on the Sandown track following a slip in a race. The machine used in that instance was an aerovator, which appears to us to perform a similar function as a ground hog but may be less severe in its impact on the track than a ground hog. There was a second slip 2 or 3 races later but after further, more aggressive, work using the aerovator, the meeting was able to continue. In that case, the jockeys were able to inspect the track before the machinery was applied, watch the machinery in action and then see the effect it had on the track. An inspection of the track after it had been worked on apparently satisfied the jockeys that the track would be safe for racing.

The Decision of the RIU Stewards

31. Finally, we want to make it clear that, in our view, the RIU Stewards found themselves in a very difficult position on Saturday 19 September given the statements made by jockeys regarding the condition of the track and the manner in which they would ride if the meeting continued, and that most likely they would not be continuing to ride if it was an "industry day". In the circumstances, even if the Procedures had been followed and the ground hog had been used, the RIU Stewards would most likely not have had any alternative other than to abandon the meeting unless the jockeys who had expressed concerns about the track or about how they would ride changed their position.

Mark Freeman
Partner
Bell Gully

Rachael Brown
Partner
Bell Gully

Audit of Hastings track – September 2015

Summary

After examining the racing strip, irrigation records and penetrometer readings leading up to the meeting, as well as assessing soil structure and soil function afterwards, I found no physical explanation for why the Hastings track would have presented a dangerous surface for racing on Saturday 19th September. Soil moisture under the slip mark was what we would have predicted, from penetrometer readings, for all the course proper

General impressions

On Tuesday 22nd September I walked round the racing strip used the previous Saturday. All round the track there were clear hoof prints, with the toe rotating about 15 mm into the surface. Hoof outlines were consistently very clear, showing no detectable sideways movement. The only slip mark I found was about 3 m from the rail, which was out 5 m from true, at the 400 m mark where the horse was reported to have slipped during Race 3, resulting in abandonment of the days racing. That slip mark was about 15 cm long and moving slightly towards the outside of the track. I was able to inspect many hoof prints in the adjacent area and none showed any movement.

65 mm of rain had fallen on the track in between the races and my visit. The track seemed have absorbed the rain very well. I saw some water lying near the 1200 m mark but on the home turn and in the straight there were no signs of surface water. Even though the soil was wet when taking the samples, the surface was reasonably firm and my shoes did not become muddy while walking the track.

Photos were taken of soil cores taken from the 400 m and 800 m marks after the races were called off (see Appendix 1). All cores appeared to show even moisture down to at least 75 mm depth.

These first impressions made me think the track should have provided a safe racing surface.

Moisture profile on race day

We can infer the likely state of moisture in the soil by examining irrigation records and penetrometer measurements. The one actual sample taken on the day fits our assessment for the track.

- Irrigation record
  Tuesday morning: penetrometer showed a Good 3 so 8 mm applied.
  Wednesday morning: Dead 4 (pen 2.6) so 5 mm was applied.
  Thursday morning: Dead 4 (pen 2.7) 3ml was applied. Irrigation was finished at10 am Thursday morning.

- Penetrometer measurements

  Racing surfaces become slippery when there is surface moisture over a drier, harder sub-surface layer. The penetrometer second drop reading will detect any subsurface hardness. Second drop readings expected when the soil profile is in equilibrium are shown in the table below with actual first and second drops. The second drop penetration in all cases was greater than the expected equilibrium drop showing the sub-surface was slightly softer.

	1st drop	2nd drop	
		Actual	Expected
Wednesday 16th am	2.58	2.18	1.91
Thursday 17th am	2.70	2.10	1.95
Friday 18th am	2.72	2.10	1.96
Friday 18th pm	2.53		
Saturday 19th am	2.53		

Table 1: Penetrometer readings at Hastings leading up to the meeting on 19th September.

We can conclude that the track was softest after irrigation on Tuesday and Wednesday and that irrigation on Thursday was enough to replace evaporation losses on Thursday but not on Friday. The second drops show good subsoil softness with no apparent risk of slipperiness.

A soil core was taken from the slip mark on Saturday, after the races were cancelled, sealed in a plastic bag then dried later. The water content was 35.7%. Using our previous records from the Hastings track this corresponds to a penetrometer reading of 2.57. Evidently, the hardness at that point was not different from the rest of the course proper.

Shallow soil structure

Cores taken from below the surface indicate there was reasonable soil structure from the 200 to 1000 m mark. Our targets for an alluvial soil like Hastings are: 2 to 3% of voids, 11% of 100 mb pores and 84% relative compaction.

		% of soil volume		Relative
Distance from 0 rail		Voids	100 mb pores	Compaction %
7m	200	2.4	8.1	88
7m	400	4.7	9.8	85
7m	600	4.6	13.2	82
7m	700	3.7	7.7	87
7m	1000	5.7	7.8	87
2 m	200	1.6	7.0	90
2 m	600	3.3	9.6	86

Table 2. Soil structure measurements from porosity cores.

Soil function

Water movement into the two samples from the 400 m mark was slower than our target of 200 mm/hr but still in the acceptable range. There were obviously fewer large pores because unsaturated flow was at the low end of the acceptable range at 2 mb tension, in the middle of the range for 4 mb tension but faster than target rates through the finest pores at 10 mb tension. It is these finest pores that are most important to get water pulled away from the surface to avoid slippery tracks.

		Saturated	Unsaturated rate (mm/hr)		
Distance from 0 rail		rate (mm/hr)	2 mb	4 mb	10 mb
7m	200	680	150	120	40
7m	400	120	20	18	10
7m	600	530	140	110	3
7m	700	350	55	33	15
7m	1000	230	39	29	4
2 m	200	1020	150	83	12
2 m	600	530	55	34	5

Table 3. Rate of water movement (mm/hr) from hydraulic conductivity cores.

Analysis

Slippery tracks almost always involve a wetter layer over a harder soil. The irrigation used at Hastings before the races had set up an evenly wet soil. The water content from the slip area agreed with the course penetrometer reading. Measurements of water movement indicate the profile would come rapidly to equilibrium after the last irrigation was applied or any subsequent rain.

There was no other evidence of slipping or lack of traction on the track. The winner's time for Race 3 was very close to that expected for a R75 horse with a penetrometer reading of 2.5. One horse in that race was reported to have been briefly unbalanced at the 400 m mark (see Appendix 2a). The fact it regained its balance in one stride indicated there was very good purchase at that point of the track.

An alternative explanation could be that the slipping was horse related. The two horses, which were reported to have lost their footing, have been prominent in Stewards reports during their short careers (see Appendix 2b). Earl's Court had slipped in one previous start while Tiger Tim has over-raced with the checks and tightening that often involves.

In conclusion, our measurements and enquiries have not identified any particular problem with preparation or presentation of the Hastings track for racing on September 19. Some very light rain fell before the first race but only enough to wet the grass. I would not expect that to have had any effect because hooves were penetrating into the surface to get good purchase.

Jim Murphy, Partner, Turftech Partnership Limited
Sunday, 27 September 2015

Appendix 1

1.1 Soil cores taken from the Hastings track at the 400 m and 800 m marks.

1.2 Photo of slip mark at the 400 m mark. Core holes for moisture determination can be seen.

Appendix 2

2a Excerpt from Stewards report for Hastings, Race 3, 19 September 2015.

"NIGELISSIMA (V Colgan) was held up rounding the final turn and near the 400 metres shifted out to improve which resulted in crowding to SACRED MASTER (L Innes) which was taken out onto the hind quarters of PERFECT MIX (M Hills) which was briefly unbalanced."

2b Excepts from Stewards reports featuring Earl's Court and Tiger Tim.

Earl's Court 7 starts 1 Win 2 Seconds 2 Thirds

14 Nov 13 1600	MDN 8th of 14		
Slipd,3bk inr,out,inr 250,ran on		Hayden Tinsley	

1.37.51, Flat 6.5L **Bar:** 3 **SP:** $7.30 **Rtg:** 47 (-1) **Wgt:** 57.0 **Car:** 57.0 **LWD:** 55.0

1: Man Versus Wild, 58.5

2: I've Got This, 58.5

LEN:1/2 LEN

Gear carried: Approved Plates, Lugging Bit

Stipe Comment: Lost its footing on jumping away.

YPKU Good3 8 Dec 13	MDN Third of 12	8th outr,wdr tn, solid finish	Buddy Lammas

1.37.25, Flat .9L **Bar:** 2 **SP:** $5.40 **Rtg:** 46 (+5) **Wgt:** 57.0 **Car:** 57.0 **LWD:** 56.5

1: Kool Return, 58.5
2: Coz I'm Lucky, 58.5

3/4 LEN:SHORT HEAD

Gear carried: Approved Plates, Lugging Bit, Blinkers (1st time)

Stipe Comment: Had to be straightened near finish

21 May 15	1400m	Third of 12	
WODV Slow8	MDN	bk innr,out 300,strong fin inr	Rosie Myers

1.26.39, Flat 3.8L **Bar:** 2 **SP:** $6.80 **Rtg:** 51 (+1) **Wgt:** 58.5 **Car:** 58.5 **LWD:** 56.5

1: Pacific Belle, 53.5
2: Special Bid, 53.5

2 1/4 LEN:1 1/2 LEN

Gear carried: Approved Plates, Lugging Bit, Blinkers

Stipe Comment: Slow to begin.

HAWK Slow9 16 Jul 15	MDN 160(	9th inr,blokd tn,shot away 150m	Shaun McKay

1.44.04, Flat 5.5L **Bar:** 7 **SP:** $3.10 **Rtg:** 54 (+9) **Wgt:** 58.5 **Car:** 55.5 **LWD:** 56.5

2: Havataste, 58.5
3: Deebee Black, 58.5

5 1/2 LEN:NECK

Gear carried: Approved Plates, Lugging Bit, Blinkers

Stipe Comment: Slow to begin. Held up rounding the turn near the 400m shifting outwards to obtain clear running near the 200m.

7 of 13	19 Sep 15	2200m Premier Meeting
HAWK Dead4	Rating 65 Benchmark *	12th,slipd 800,wdr tn,bmpd 220,tidy

2.18.30, Flat 3.8L **Bar:** 9 **SP:** $3.10 **Rtg:** 65 **Wgt:** 59.0 **Car:** 59.0 **LWD:** 54.0

1: Michelin, 59.0
2: Private Hero, 59.0

LONG NECK:LONG NECK

Gear carried: Approved Plates, Lugging Bit, Blinkers

Stipe Comment: Eased going into back straight. Lost footing passing 800m

Tiger Tim 5 starts 2 Wins I Fourth

1 of 14	4 Nov 14	1400m	
OTAK Dead5	MDN 3YO	3rd outr,up tn, led 50m,too gd	Jonathan Riddell

1.25.20, Flat .5L **Bar:** 8 **SP:** $17.80 **Rtg:** 45 (+18) **Wgt:** 57.5 **Car:** 57.5 **LWD:** 55.5

2: Platinum Command, 55.5
3: Silver Blade, 57.5

1/2 LEN:1/2 HEAD

Gear carried: Approved Plates, Lugging Bit

Stipe Comment: Lay in 300m.

1 of 10	16 Jul 15	1600m	
HAWK Slow9	Rating 65 Benchmark*	6th 3w cvr,up 2nd 700,bolted away	Jonathan Riddell

1.44.16, Flat 4.8L **Bar:** 7 **SP:** $5.80 **Rtg:** 63 (+6) **Wgt:** 58.5 **Car:** 58.5 **LWD:** 54.0

2: The Quiet Man, 53.0
3: Suggest Gold, 51.0

4 3/4 LEN:LONG NECK

Gear carried: Approved Plates, Lugging Bit, Side Winkers

Stipe Comment: Over-raced early in the back straight and continued to race keenly after being allowed to improve forward.

29 Aug 15	1600m Premier Meeting		
HAWK Dead5	Rating 75 Benchmark	8th outr to tn,boxed on well,close, 600m - 0.36.12	Jonathan Riddell

1.36.50, Flat 1.9L **Bar:** 8 **SP:** $5.30 **Rtg:** 69 **Wgt:** 56.0 **Car:** 56.0 **LWD:** 54.0

1: Jimmy Mac, 56.5
2: Flint, 58.0

1 1/4 LEN:1/2 NECK

Gear carried: Approved Plates, Lugging Bit, Side Winkers

Stipe Comment: hampered first turn near 1400m, steadied to avoid heels 500m

4 of 16	19 Sep 15	2000m Premier Meeting	
HAWK Dead4	Rating 75 Benchmark	1x1, slippd turn,btld on well	Jonathan Riddell

2.03.54, Flat 1.7L **Bar:** 13 **SP:** $11.20 **Rtg:** 69 (+1) **Wgt:** 56.0 **Car:** 56.0 **LWD:** 54.0

1: Jimmy Mac, 59.0
2: Nigelissima, 55.0

3/4 LEN:LONG NECK

Gear carried: Approved Plates, Lugging Bit, Side Winkers

Stipe Comment: Slipped and became unbalanced early in home straight.

NEW ZEALAND THOROUGHBRED RACING

NZTR/RIU PROCEDURES AND PROCESSES TO BE FOLLOWED FOR RACE/TRIAL MEETING ABANDONMENT'S AND TRACK PERFORMANCE ISSUES

May 2015

CONTENTS

NZTR AND RIU MANAGEMENT HAVE DEVELOPED STANDARD PROCEDURES AND PROCESSES THAT MUST BE FOLLOWED WHEN:

- A race meeting is threatened with being abandoned prior to race day; or
- Where the state of the track or venue facility (as defined below) becomes an issue prior to racing starting on the day or during the race meeting and the race meeting either continues or is abandoned.

Similar steps must also be followed in the case of trial meetings without the need to communicate with Trackside.

1.0 RACE MEETING ABANDONMENT PROCEDURES AND PROCESS

Where there is a threat that a race meeting is going to be abandoned the following procedures and processes must be followed.

In all cases the:

- **NZTR/RIU/RACE/TRIAL MEETING RACING SURFACE/VENUE FACILITY SAFETY CHECKING PROCEDURES** (attached as Appendix 1-3)
- Inspection team must take on board the advice from the club representatives in regard to local weather patterns and consider the option to delay the race meeting, based on this information rather than abandon the race meeting

Must also be adhered to as part of the process.

- If the decision has been made to abandon the race meeting the Chairman of Stewards (on the day) will appear on Trackside and explain:
    - the reason the race meeting has been called off; and
    - that a full inquiry as to the reason for the abandonment will be conducted.
- If the decision has been made for the race meeting to continue the Chairman of Stewards (on the day) will appear on Trackside and explain either:
    - that the incident/hazard has been investigated and determined not to be a track related matter and the race meeting will continue; or
    - that the track or venue facility related matter has been identified and the hazard rectified to the satisfaction of all parties to allow the race meeting to continue.

2.0 RACE MEETING TRACK PERFORMANCE (RACING SURFACE – RACING AND TRIALS)

Where an issue arises over the performance of the racing/trial surface during the race/trial meeting but the race/trial meeting continues the following procedures and processes must be followed:

- The Chairman of Stewards or in the case of a trial meeting the Stipendiary Steward in charge (on the day) will explain:
    - what the issue is with the racing/trial surface rather than try and explain the circumstances around why the racing/trial surface is performing the way it is; and
    - that a full inquiry will be conducted as to the performance of the racing/trial surface;

- During the rest of the day the Chairman of Stewards or in the case of a trial meeting the Stipendiary Steward in charge will interview individually various stakeholders to gain an understanding of what the issues are in regard to the performance of the racing/trial surface.

Under both scenarios the NZTR National Venue Inspector will contact the venue's Racecourse Manager (post race/trial day) and obtain a detailed report on what work was carried out on the racing/trial surface in the last 2 weeks leading up to the race/trial day.

The NZTR National Venue Inspector will then add his own comments and identify any issues he has with the venue's Racecourse Manager's report, how the work was carried out, and any suggestions to prevent the situation happening again.

NZTR management then will produce a summary report based on information received from the RIU race day inquiry, the venue's Racecourse Manager's report and any input provided by the NZTR National Venue Inspector.

Based on the recommendations from this report NZTR will instruct the Club to take all appropriate steps to ensure the situation is not repeated in the future.

3.0 SUBSEQUENT REMEDIAL WORK

Under either an abandonment situation or racing/trial surface performance issue, where remedial work is carried out by the Club then this remedial work must be inspected by the NZTR National Venue Inspector or the local RIU Stipendiary Steward before the next race/trial meeting to be held at the venue to ensure the racing/trial surface is suitable for racing/trialling on.

Any press release concerning race/trial meeting abandonments and track performance issues will be coordinated between NZTR, RIU and the Club.

4.0 RIU RACE MEETING INCIDENT AND ABANDONMENT REPORT

In all circumstances where an incident has occurred or a hazard has been identified at a race or trial meeting the Chairman of Stewards on the day or in the case of a trial meeting the Stipendiary Steward in charge must complete the RIU Race Meeting Incident and Abandonment Report on the day and forward a copy to nominated staff within NZTR, the RIU and the Club.

VENUE FACILITIES ARE DEFINED AS INCLUDING

1. The race track/racing surface
2. The stabling area
3. The float park
4. The birdcage and or assembly saddling area
5. The access and egress between these areas
6. The working areas utilized by the Stewards/JCA (i.e. Offices, Judicial Towers)
7. Jockey Rooms

The venue facilities as defined in this document specifically do not include other public/members and Club administrative areas on the race course.

APPENDIX 1
NZTR/RIU
RACE/TRIAL MEETING RACING SURFACE/ VENUE FACILITIES SAFETY CHECKING PROCEDURES

SITUATION

SAFETY CONCERNS ARE RAISED BY THE CLUB PRIOR TO RACE/TRIAL DAY

1. Once the NZTR National Venue Inspector has been notified by a Club of any safety concerns relating to the Club's upcoming race/trial meeting, arrangements are to be made by the NZTR National Venue Inspector to inspect the racing/trial surface and/or the venue facility in question (as defined below) in conjunction with the local RIU Steward along with Club representatives including the Racecourse Manager, the pre race/trial day inspection team (the Inspection Team)
2. If safety concerns have been notified by another party to the RIU Stipendiary Steward the RIU Stipendiary Steward must immediately contact the Club and give Club representatives, including the venue Racecourse Manager, (the Initial Inspection Team) the opportunity to attend the inspection of the racing/ trial surface or other venue facilities (as defined below) and undertake any corrective action that may be appropriate.
3. If safety concerns are raised within 48 hours of a race meeting then any senior jockeys or trainers that are available should be included in the Inspection Team, however this may not always be possible.
4. Where the Inspection Team are of the opinion that the track may be slippery, then it is imperative that the Inspection Team do not allow a horse and rider to gallop on the track for the purpose of any safety assessment.
5. In this circumstance the Inspection Team and any other personnel invited to assess the racing surface must, based on the collective judgment of the Inspection Team and other invited personnel, make a decision as to whether or not the race/trial meeting proceeds or is abandoned.
6. Where there are differing views of opinion from the Inspection Team and other invited personnel the local Stipendiary Steward and the NZTR National Venue Inspector will have the ultimate say as to whether the racing/trialling surface will be suitable to race on or not.
7. If any agreed remedial work is carried out, the Inspection Team must inspect the racing/trialling surface and/or venue facility concerned after the work has been carried out and be satisfied the problem has been fixed and the racing surface/venue facility is safe for the racing/trials meeting to continue.
8. If race/trial meeting is not going to proceed then the NZTR National Venue Inspector or the local RIU Stipendiary Steward must notify the NZTR National Racing Bureau (NRB) as soon as possible so the NRB can communicate the decision to all interested parties and consider what alternative arrangements can be put in place.
9. If the race meeting is to be postponed and/or transferred to another day/venue then the Club must seek permission from NZTR and the NZRB before any final decision is made.
10. If preparations for the race/trial meeting proceed, after this initial inspection, the local RIU Stipendiary Steward must inspect the racing/trialling surface and/or the venue facility again two days out from the race/trial meeting and follow steps 1-7 above.

VENUE FACILITIES ARE DEFINED AS INCLUDING

1. The race track/racing surface
2. The stabling area
3. The float park
4. The birdcage and or assembly saddling area
5. The access and egress between these areas
6. The working areas utilized by the Stewards/JCA (i.e. Offices, Judicial Towers)
7. Jockey Rooms

The venue facilities as defined in this document specifically do not include other public/members and Club administrative areas on the race course.

APPENDIX 2
NZTR/RIU
RACE/TRIAL MEETING RACING SURFACE/ VENUE FACILITIES SAFETY CHECKING PROCEDURES

SITUATION

SAFETY CONCERNS ARE RAISED ON RACE/TRIAL MORNING BUT BEFORE RACING/TRIALLING HAS STARTED

1. If safety concerns have been raised by the Club on race morning the RIU Stipendiary Steward (where available) along with Club representatives, including the Racecourse Manager, (the Initial Inspection Team) must inspect the racing/trial surface or other venue facilities (as defined below) immediately and undertake any corrective action that may be appropriate..

2. If safety concerns have been notified by another party to the RIU Stipendiary Steward the RIU Stipendiary Steward must immediately contact the Club and give Club representatives, including the Racecourse Manager, (the Initial Inspection Team) the opportunity to attend the inspection of the racing/trial surface or other venue facilities (as defined below) and undertake any corrective action that may be appropriate.

3. If Trainers and/or Senior Jockeys are readily available it is recommended that representatives of them be included in the Initial Inspection Team.

4. If the concerns are of a nature that cannot be immediately resolved the RIU Stipendiary Steward (where available) and Club representatives must decide as early as possible whether the meeting is to proceed or not and must notify the NZTR National Racing Bureau (NRB) as soon as possible so the NRB can communicate the decision to all interested parties. Where the RIU Stipendiary Steward is not able to be in attendance the decision as to whether the race meeting is to be called off or not rests solely with the Club representatives.

5. If the Initial Inspection Team is of the opinion that the track may be slippery, it is imperative that the RIU Stipendiary Steward (where available) and/or Club representatives do not allow a horse and rider to gallop on the track for the purpose of any safety assessment.

6. If any agreed remedial work is carried out, the Initial Inspection Team must inspect the racing/trialling surface and/or venue facility concerned after the work has been completed and be satisfied the problem has been fixed and the racing surface and/or venue facility is safe for the racing/trials meeting to continue.

7. If the Initial Inspection Team believes the racing/trialling surface or venue facility is safe for the race/trial meeting to continue, then no later than one hour prior to the first race the situation must be explained to at least two senior jockeys and two senior trainer representatives. These representatives must be afforded the opportunity of inspecting the area of concern to form their own opinion.

8. If any other party either jockeys or trainers do not wish to participate in the race/trial meeting due to the specific areas of concern, their concerns must be considered by the RIU Chairman of Stewards when considering whether the race meeting should continue or be abandoned.

9.. If the RIU Chairman of Stewards determines that the race meeting can continue the RIU Chairman of Stewards must continue to monitor the situation throughout the day.

10. Where the RIU Chairman of Stewards determines the race meeting is not going to proceed under Rule 602 (1) (b) then the RIU Chairman of Stewards must notify the NZTR National Racing Bureau (NRB) as soon as possible so the NRB can communicate the decision to all interested parties and consider what alternative arrangements can be put in place.

11. Where the race meeting is delayed for any reason the Club must advise NZRB Raceday Control and agree to new race start times.

12. If the race meeting is to be transferred to another day/venue then the Club must seek permission from NZTR and the NZRB before any final decision is made.

13. In the case of trial meetings the decision to continue or abandoned rests with the RIU Steward in charge on the day.

VENUE FACILITIES ARE DEFINED AS INCLUDING

1. The race track/racing surface
2. The stabling area
3. The float park
4. The birdcage and or assembly saddling area
5. The access and egress between these areas
6. The working areas utilized by the Stewards/JCA (i.e. Offices, Judicial Towers)
7. Jockey Rooms

The venue facilities as defined in this document specifically do not include other public/members and Club administrative areas on the race course.

APPENDIX 3
NZTR/RIU
RACE/TRIAL MEETING RACING SURFACE/ VENUE FACILITIES SAFETY CHECKING PROCEDURES

SITUATION

SAFETY CONCERNS ARE RAISED DURING THE COURSE OF THE RACE/TRIAL MEETING

1. Immediately any safety concerns are raised the RIU Chairman of Stewards must arrange for representatives from the Club the Racecourse Manager, Trainers and Senior Jockeys, the race/trial day inspection team (the Inspection Team) to inspect the racing surface or venue facility (as defined below) in question.
2. The Inspection Team must discuss the practicalities of rectifying the racing surface or venue facility so that the race/trial meeting can continue.
3. If any agreed remedial work is carried out, the Inspection Team must inspect the racing/trialling surface and/or venue facility concerned after the work has been completed and be satisfied the problem has been fixed and the racing surface/venue facility is safe for the racing/trials meeting to continue.
4. Any recommendation by the Inspection Team to continue or abandon the race meeting will be dealt with by the RIU Chairman of Stewards on the day. under Rule 602 (1) (b).
5. The RIU Chairman of Stewards must consider the views of jockeys who have ridden on the day as well as those jockeys that have yet to ride.
6. The RIU Chairman of Stewards must consider the views of all members of the Inspection Team.
7. If any other party either jockeys or trainers do not wish to participate in the race meeting due to the specific areas of concern their concerns must also be considered by the RIU Chairman of Stewards under Rule 602 (1) (b) as to whether the race meeting should continue or be abandoned.
8. If the RIU Chairman of Stewards determines that the race meeting can continue the RIU Chairman of Stewards must continue to monitor the situation throughout the day.
9. If the race meeting is not going to proceed then the RIU Chairman of Stewards must notify the NZTR National Racing Bureau (NRB) as soon as possible so the NRB can communicate the decision to all interested parties and consider what alternative arrangements can be put in place.
10. Where the race meeting is delayed for any reason the Club must advise NZRB Raceday Control and agree to new race start times.
11. If the race meeting is to be transferred to another day/venue then the Club must seek permission from NZTR and the NZRB before any final decision is made.
12. In the case of trial meetings the decision to continue or abandoned rests with the RIU Steward in charge on the day.

VENUE FACILITIES ARE DEFINED AS INCLUDING

1. The race track/racing surface
2. The stabling area
3. The float park
4. The birdcage and or assembly saddling area
5. The access and egress between these areas
6. The working areas utilized by the Stewards/JCA (i.e. Offices, Judicial Towers)
7. Jockey Rooms

The venue facilities as defined in this document specifically do not include other public/members and Club administrative areas on the race course.