

Ministerial Advisory Committee – Messara Report

Terms of Reference for Special Review of Racing Integrity Bodies

April 2019

The Ministerial Advisory Committee (MAC) has been appointed by the Minister for Racing to set a sense of direction for the intended racing reforms, with particular focus on prioritising those recommendations that have been identified as the main drivers required for successful industry reform. This will provide the basis for a prioritised work plan for the Committee, to be provided to the Minister of Racing early in 2019.

The Committee is also charged with scoping up the operational decision points (whether technical, legal, financial or process orientated) for racing reform, engaging with industry throughout and offer analysis to the Minister for Racing on opportunities (i.e., the industry's untapped potential) as well as roadblocks to returning the industry to a well-managed and sustainable growth path.

Purpose

The Special Review of Racing Integrity Bodies (SR) is conducted to provide information to the MAC in relation to:

Executive Summary - Recommendation 6 from the Messara Report

Recommendation 6

Initiate a special review of the structure and efficacy of the RIU and allied integrity bodies, to be conducted by an independent qualified person.

(Referred to as the "Special Review of Racing Integrity Bodies").

Submissions on Recommendation 6

There is full support from the NZRB and NZTR, HRNZ and GRNZ to Recommendation 6.

Scope

The scope of the SR will include but is not limited to:

1. A review of the current structure of the Racing Integrity Unit (RIU) and related integrity bodies (Judicial Control Authority (JCA) and the New Zealand Racing Services Laboratory (the laboratory).; with particular consideration of Independence, effectiveness, efficiency and accountability;
2. Consider whether, and the extent to which, enhancements should be made to the current integrity structure and whether legislative changes may be required;
3. The Review should consider measures for the oversight of the animal welfare policies of the three Codes;
4. The Review will have regard to relevant integrity structures in Australian racing jurisdictions and other relevant sporting bodies;
5. The Review should engage with the New Zealand integrity bodies, the three Codes and key stakeholders on the strengths, weaknesses and opportunities for improvement of the current integrity structure;

6. The Review should present options for possible future integrity structures, processes and systems within New Zealand racing; and consider the advantages and disadvantages of alternative models;
7. As a result of the above, a project plan (including resources) and timetable outlining how any changes would be implemented.

The following area is out of scope of this SR:

- Specific analysis of Operation Inca.

Appointment of Independent Qualified Person

To conduct the SR, the MAC will appoint a suitably qualified and experienced Independent Qualified Person, who may not be a member, former member, or employee of the NZ Racing Board or any NZ Racing Integrity Body. The MAC envisages that such a person would have relevant experience in the evaluation of the performance of integrity structures, prosecutorial decision making and judicial control functions.

Resources and Budget

The MAC will pay the reasonable costs of the SR, to the appointed Independent Qualified Person who conducts the SR, in terms of fees and the reimbursement of expenses. The NZRB will ensure that the person appointed will be supported in the conduct of the SR by way of access to information and personnel and the provision of administrative support when requested.

Reporting

It is planned that the SR will report back to MAC by 31 May 2019.

Key Outcome

The key outcome of the SR will be for the MAC to have a clear framework/plan for the structure, efficacy, independence and accountability of the RIU and related integrity bodies, to ensure a sound integrity system including oversight of animal welfare exists which has the support of the wider domestic and overseas community and industry participants.

The framework and plan should also identify the key fiscal implications, risks and benefits, to ensure the structure of the racing integrity bodies is as cost effective as possible, has a high level of accountability and is effective and efficient in relation to operating the integrity bodies of the wider Racing Industry in NZ.