



Public Interest Policy

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DATE OF COMMENCEMENT

This policy comes into effect on 24 November 2004

PURPOSE

The *Racing Act 2002* authorises Greyhounds Queensland Limited (GQL) to make policies for the sound management of the greyhound racing industry. Section 81 (b) of the Act requires GQL to make a policy for safeguarding the public interest in greyhound racing.

What is public interest?

While there is a requirement for a policy safeguarding the public interest in the code, the Act does not define “public interest”.

For guidance, the following other sections of the Act are helpful

Schedule 1, section 11A of the Act specifies the functions of the Thoroughbred Racing Board. Included in the specified functions is;

“to initiate, develop and implement policies it considers conducive to the development and welfare of the racing industry and the protection of the public interest, in relation to the racing industry”.

The functions of GQL are not specified in such a manner.

According to the Australian Concise Oxford Dictionary, “public interest” means:

“of or concerning the people as a whole”

That definition does not provide much guidance on the intent of section 81 (b) of the Act. The American Heritage Dictionary definition of “public interest” is more useful for the purposes of this policy:

“public interest” means:

1. the well being of the general public; the commonwealth.
2. the attention of the people with respect to events.

From this definition, it is clear there are two distinct senses in which the term “public interest” can be used. Section 81 (b) of the Act uses the term in its first sense, that of safeguarding the wellbeing of the general public.

According to the Queensland Government’s Policy Handbook:

Government acts in the public interest, not in the stakeholders’ interests. It is very



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common for different stakeholders to have competing interests and it may be impossible to reconcile the differences.

Public interest cannot be measured precisely. It does not equate to pleasing everyone and it is not the same as public opinion or popularity. An action may be in the public interest yet unpopular. Government decisions to increase taxation are often in this category, although the purpose for which the extra revenue is used may be very popular.

While practitioners may give advice about the views of stakeholders, the various options and the implications, costs and benefits, the determination of what is the public interest is essentially a political decision.

What is the public interest in racing?

Section 4 of the Act - Main purpose of the Act and how they are generally achieved – provides:

(1) The main purposes of this Act are-

(a) to maintain public confidence in the racing of animals in Queensland for which betting is lawful; and

(b) to ensure the integrity of all persons involved with racing or betting under this Act; and

(c) to safeguard the welfare of all animals involved in racing under this Act.

The explanatory notes to the *Racing Bill 2002* refer to the public interest on a number of occasions, beginning with the policy objectives of the legislation which are to:

- maintain public confidence in the racing of animals in Queensland for which betting is lawful
- ensure the integrity of all persons involved with racing or betting
- to safeguard the welfare of all animals involved in racing and
- meet National Competition Policy obligations by removing legislative restrictions on competition that cannot be justified in the public interest.

The explanatory notes state that it is considered justifiable and in the public interest that persons with convictions for dishonesty, stealing, and unlawful betting and bookmaking offences, regardless of when the offences were committed, should not be eligible to be associated with the management or ownership of a control body. Only those persons of the highest integrity should be appointed as an executive officer of a control body.

The explanatory notes refer to the show cause procedure that the Minister and chief executive must comply with when taking disciplinary action, save in exceptional circumstances where immediate suspension is warranted in the public interest.

The Act gives the minister the power to direct a control body to review its existing rules or to make new rules about a matter. The explanatory notes state that if a control body



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reviews a particular rule and decides that the rule should not be amended, the control body would need to demonstrate that the rule is in the public interest and has sufficient regard to section 4 (3) of the *Legislative Standards Act 1992*, which provides that , “whether legislation has sufficient regard to the rights and liberties of individuals depends on whether, for example, the legislation-

- (a) makes rights and liberties, or obligations dependent on administrative power only if the power is sufficiently defined and subject to appropriate review; and
- (b) is consistent with principles of natural justice; and
- (c) allows the delegation of administrative power only in appropriate cases and to appropriate persons.....”

According to the explanatory notes, community expectations require that entities empowered to make rules and policies, particularly rules and policies that affect the livelihoods and lives of persons, should have due regard to those principles outlined in section 4 (3) of the *Legislative Standards Act 1992*, unless there are good public interest reasons for not doing so.

The Act provides that the Minister may request the Auditor-General to audit a control body. According to the explanatory notes, this power would only be exercised by the Minister in circumstances where the Minister has grounds to believe that it is in the public interest for an independent audit of the control body to be conducted.

Section 81 (b) of the Act provides that a control body must make a policy about safeguarding the public interest in the code. According to the explanatory notes, a control body would need to consider the need to ensure the integrity of the code’s racing in making such a policy.

Greyhound racing’s place in Queensland’s economy and society

In order to safeguard the public interest, it is necessary to attempt to gauge greyhound racing’s positive and negative affects on Queensland’s economy and society.

The greyhound racing industry contributes, in a sizeable way, to the Queensland Gross State Product and generates jobs of all skill levels through the State. The range of people making their livelihood wholly or in part through the greyhound racing industry is impressive – trainers, owners, attendants, bookmakers and their clerks, veterinarians, scientists, farmers, breeders, stock agents, identification/branding officers, IT professionals, data entry clerks, educators, labourers, caterers, cleaners, stewards, administrators, lawyers, totalisator operators, printers, transport contractors, media representatives, curators, and racetrack officials.

Major greyhound racing events like Albion Park Cup, Queensland Derby, Queensland Futurity, Ipswich Auction Series, Vince Curry Memorial and on rotation the National



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Sprint and National Distance Championships attract visitors from interstate and overseas and add to Queensland's reputation as a world-class holiday destination.

The State and Commonwealth Governments derive revenue directly and indirectly from the industry. It is in the public interest that the racing industry generally fulfil its economic potential for the benefit of regional communities and the State as a whole.

Thousands of Queenslanders are greyhound racing enthusiasts. Many are industry participants, while others are regular racegoers or off course punters. They may attend major metropolitan meetings or meetings in regional cities and towns. What ever their level of involvement, they share an interest in greyhound racing.

Given the industry's importance to Queensland's society and economy, it is imperative that the public interest in greyhound racing be protected by:

- ensuring the industry is managed professionally;
- promoting a positive image of greyhound racing as a legitimate form of entertainment and a rewarding industry in which to work and be involved;
- ensuring the highest standard of integrity in the conduct of greyhound racing and betting;
- protecting the safety of greyhound racing industry workers and race day patrons;
- protecting the welfare of licensed greyhounds;
- minimising the harm associated with gambling;
- ensuring the industry is a responsible citizen and good neighbour; and
- providing mechanisms for people who have complaints against aspects of the industry's administration to have their problems addressed

The purpose of this policy is to help ensure GQL safeguards the public interest in greyhound racing.

POLICY STATEMENT

Professional management

GQL will ensure the industry is managed professionally by managing its own operations and overseeing race clubs' operations according to the highest professional standards.

In order to ensure its operations are efficient, GQL will develop policies for:

- policy development
- employment of officials and other staff
- decision making by stewards and decision making by GQL generally
- record keeping
- making its officials and other staff and licence holders aware of their responsibilities

under , for example, but not limited to:

- *Anti- Discrimination act1991;*
- *Workplace Health and Safety Act 1995*



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- other matters GQL sees fit for the proper management of the industry
- maintaining a code of practice.

In order to ensure the industry operates professionally, GQL will develop policies for:

- licensing race clubs, racing venues, industry participants and racing animals
- training of licence holders and other industry participants
- lawful betting
- the allocation of race days
- the provision of funds to licensed clubs
- the standard required of licensed venues
- the way in which races are to be held
- grading
- other matters as GQL sees fit for the proper management of the industry.

In order to ensure race clubs operate professionally, GQL will formulate policies for:

- the formation and management of clubs
- licensed non-proprietary clubs to manage their finances
- licensed non-proprietary clubs to manage their assets
- other matters as GQL sees fit for the proper management of the industry .

GQL requires licensed clubs to manage their finances and assets according to GQL Financial Management Procedures Manual.

GQL will consult stakeholders when it makes policies. It will review its policies regularly to ensure that they are relevant and continue to encourage efficient and effective administration.

Professional presentation

GQL will present a positive image of greyhound racing as a legitimate, professional and lawful industry. Through its licensing of clubs, venues, participants and greyhounds. GQL will encourage standards of presentation that gives the public confidence in greyhound racing as a sport, pastime and a business characterised by openness, transparency, integrity and accountability.

GQL will present a positive image of greyhound racing as a legitimate form of entertainment for all walks of life. Promotions will encourage people to attend greyhound racing meetings and racing related activities.

GQL will promote greyhound racing as a rewarding industry in which to work, offering many different career opportunities, from the unskilled to the highly skilled, from country Queensland to the regional towns and cities, and major metropolitan centres.

GQL will promote the greyhound racing industry as a rewarding industry in which to be involved, as a participant such as an owner, trainer, breeder etc, or as a service provider to the industry.



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Integrity assurance

In order to ensure the highest standards of integrity in the conduct of greyhound racing and betting GQL will formulate policies for:

- licensing race clubs
- lawful betting
- testing racing greyhounds for drugs
- standards of equipment and staffing for monitoring races and facilities and
- other matters as GQL sees fit to ensure integrity.

Public safety

In order to protect the safety of greyhound racing industry workers and race day patrons, GQL will formulate policies for:

- licensing race clubs, racing venues, industry participants
- the standard required for licensed venues
- training of licence holders and other industry participants
- drug and alcohol use by employees and licence holders and
- other matters as GQL sees fit for the proper management of the industry.

Animal welfare

In order to protect the welfare of racing greyhounds, GQL will formulate policies for the welfare of licensed racing greyhounds.

The policies will reflect the purpose of all relevant legislation concerning animal welfare.

Minimising harm from gambling

In order to minimise any harm associated with gambling, GQL will comply with, and promote the principles of the Queensland Responsible Gambling Code of Practice.

GQL will require clubs to adopt and comply with this policy and the Queensland Responsible Gambling Code of Practice. Clubs must comply with provisions of the Queensland Responsible Gambling Resource Manual. A club's responsible gambling policy must include strategies for:

- providing information to customers
- developing links with customers and the community
- excluding problem gamblers
- creating an acceptable physical environment where gambling may occur
- providing financial transaction services
- regulating advertising and promotions.

The policy will:

- help customers make informed decisions about their gambling
- minimise any harm from gambling to individuals and the broader community and
- provide people adversely affected by gambling with access to timely and appropriate assistance and information.



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Responsible citizenship

GQL expects and requires clubs, and greyhound racing participants to be responsible citizens and good neighbours by minimising or eliminating the impact of their greyhound racing related activities on the community.

This includes:

- complying with local authority environmental health and workplace health and safety regulations
- minimising the impact of race day traffic, congestion and parking problems
- reducing noise and light pollution from racing venues
- instituting sound animal husbandry practices
- minimising unpleasant odours from kennels in residential areas by ensuring high standards of hygiene
- controlling vermin in kennels
- preventing wastes from discharging from kennels into the stormwater system
- maintaining and enforcing a code of practice for participants.

Complaints mechanisms

GQL will manage the greyhound racing industry for the benefit of the industry and the public generally.

GQL will ensure its decision making is fair, impartial and transparent. It will provide reasons for its decisions and be accountable for those decisions.

GQL recognises that from time to time licence holders and other industry participants and members of the public may have complaints about the administration of the industry.

GQL will treat complaints seriously and confidentially and make every effort to resolve complaints. Where a person feels aggrieved by one of its decisions, GQL will review the decision and provide reasons justifying the decision. If GQL changes the decision as a result of the review, it will provide reasons for the new decision.

APPLICATION

This policy applies to:

GQL.

Clubs

Licence holders



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DEFINITIONS

This policy adopts the terminology used in the *Racing Act 2002*. Schedule 3 of the Act contains a dictionary of words used in the *Racing Act 2002* and may be accessed via the internet at www.legislation.qld.gov.au under tab "R".

PROCEDURES

Roles and responsibilities

GQL will be for authorising appropriate officers to be responsible for preparing the policies mentioned above.

Review

This policy will be reviewed after two years of operation.

This policy was reviewed by GQL Board on 31 January 2007, with the policy to be reviewed within two years of this date or earlier as determined by GQL Board.

This policy was reviewed by GQL Board on 28 January 2009 with the policy to be reviewed within 2 years of this date or earlier as determined by GQL Board.

GQL rules of greyhound racing

GQL rules of greyhound racing provide for the application of this policy.

Authority and other information

This policy was issued by GQL on 24 November 2004 pursuant to the powers vested in GQL by the *Racing Act 2002*.