

MINUTES
OF THE MEETING OF IFHA HARMONISATION COMMITTEE HELD IN THE OFFICES
OF THE HONG KONG JOCKEY CLUB, ON SATURDAY, 8th DECEMBER 2007

COMMITTEE

Chairman : Rob de Kock (SAF)
Europe : Malcolm Wallace (GBR) and Henri Pouret (FRA)
Asian Racing Federation (ARF): Des Gleeson (AUS) and Yoshihiro Nakomora (JPN)
Americas : Ted Hill (USA)

In attendance:

Hong Kong Stewards
Jamie Stier
Kim Kelly
Kenneth Kwok

Apologies were received from:

Ignatio Pavlovsky (South America)

The Chairman opened the meeting by outlining the aims of the committee and its terms of reference, as agreed by the Executive Council of the IFHA.

In order to determine the differences of the interference rules among those present, the same British race videos were shown and analysed as had been circulated previously and shown at the IFHA Paris meeting in October.

The following comments / observations were noted as a result:

The main difference between the rules:

The same rule, although differently worded, is used in Australia, South Africa, Hong Kong, Britain (for Britain, one can also include Ireland) – and also most other jurisdictions within the Asian Racing Federation. In general terms, if the interferer finishes in front of the sufferer(s) and has not improved its placing as a result of the interference, it retains its place unless some major infraction has taken place, so bad that it needs to be disqualified (placed last).

There is, however, a subtle but very important difference in interpretation within the framework of the rule. In the ARF, the decision is genuinely based on a balance of probabilities, with ARF Stewards being quite prepared to demote (place behind) an interferer. In Britain, a balance of probabilities is 'preached' but in effect, a degree of 'certainty' is practised. It is for this reason that the same races provided different results when they were analysed.

Other differences / local customs / observations

- Although the Australian, South African and Hong Kong answers were different to the British ones, they were not all unanimous i.e. in some races, some ARF Stewards agreed with the European finding although the majority decision prevailed.
- In the USA, all states are free to adopt their own rules but generally speaking, the views expressed at the meeting are likely to apply across the USA.
- With regard to penalties, it became clear that in the ARF generally, and South Africa and Australia particularly, penalties for offending jockeys are much more severe than in Europe – as much as three or even four times more severe, even though jockeys in those jurisdictions could expect to ride on most days of the week; they do however have fewer ‘two meetings a day’ opportunities. Their penalties therefore form part of their deterrent while allowing winners on merit to keep their places; in Europe, penalties are similar and notably less severe.
- In Hong Kong, there are seven voting members on an enquiry – five professionals and two amateurs; the chairman, an amateur, has the casting vote.
- In France, there are five stewards at bigger meetings – four amateurs and one professional.
- In Australia at big meetings there could be five voting stewards (plus non voting cadet stewards) and the chairman has a casting vote.
- In Britain there are four stewards on an enquiry at a big meeting, usually three amateurs and a professional. At smaller meetings, it is likely to only be three stewards on an enquiry – two amateurs (one being the chairman) and one professional. In South Africa all objections heard by three professional stewards.
- In Australia and Hong Kong, the expression ‘in the opinion of the Stewards’ is used rather than ‘on a balance of probabilities’ or Stewards needing to be ‘satisfied’.
- In Australia and Hong Kong, jockeys are expected to initiate an enquiry/protest, as they are in a number of American states. In Europe and South Africa, the Stewards initiate an enquiry although riders are also able to do so if the Stewards don’t.
- In the USA, results are cleared before riders weigh in, so as to minimise betting delays. The occasional error is more than compensated for by the money saved overall.
- For appeals against racecourse decisions on penalties, Japan, France and America do not produce transcripts of the original hearing. The remainder do produce them.
- South Africa is the only jurisdiction with an ‘admission of guilt’ system, to which there is no right of appeal.

- In Australia, appeals are heard within two days of the offence.
- In Australia, international appeals may be heard by 'video conferencing', and this practice may spread to interstate appeals also.

Harmonisation Process

All present agreed to seek the views of their governing authorities with regard to giving ground on change. It was accepted that this view could be 'in principle only' as no authority could agree to change until the specific wording had been analysed in detail. However, 'agreement in principle' to change needs to be sought and given, prior to our next meeting.

The following observations were made:

France – prepared to look at change but it would be the decision of the Stewards of France Galop. It would not be easy. The current French rules provide a considerable deterrent to interference.

Japan – it will be difficult to change due to existing culture.

USA – would have difficulty with specific wording which removes the existing flexibility of American Stewards; they recently replaced the word 'shall' with 'may' after an 'uproar'!

UK – having once been in a similar situation to the French and Japanese, would be unwilling to return there.

Action Points

It was agreed –

- To circulate each others interference rules.
- To seek permission to change rules 'in principle' but not binding and dependent on specific wording.
- To meet in the UK in July – all day on Thursday 10th and in the morning of Friday 11th.
- That Malcolm Wallace (the Secretary to the Committee) would circulate elements of the 'Barrie Gore' system of compensating owners of horses that lost places through suffering interference.
[After note: The Germans already implement such a system]
- That it would be easier to harmonise other issues e.g. equipment, safety, reciprocity if a common interference rule could be achieved.
- That Malcolm Wallace would draft the minutes/action points and send them to the chairman for approval prior to their circulation to the whole committee, and this would be done in early January.

- That it might be easier to achieve harmonisation on other raceday rules, without impacting on and/or delaying the Committee's endeavours to achieve harmonisation on the interference rule. The Chairman requested the Members of the Committee to send him a list of a maximum of five other raceday rules on which they believed it would be relatively easy to achieve harmonisation. These could then be discussed and an approach made to the Executive Council to consider proceeding along these lines.

It was not agreed that suspensions should be racedays only for reasons of proportionality.

MCRW – 21.12.07