



Racing Integrity
Commissioner

Independent Review into Victorian Racing Industry Victim Support and Complaint Processes

Interim Report and Progress Update
December 2022



**Racing Integrity
Commissioner**

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This report is available at
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Commissioner's foreword



Over the last 20 months, a number of complaints about physical and sexual assault and abuse and sexual harassment from people who formerly or currently work in the Victorian racing industry (VRI) have been brought to my attention. Some are more recent, others date back decades. They are not confined to one racing code.

To foster an industry-wide response to these issues, I consulted with the Victorian racing controlling bodies – Racing Victoria Ltd, Harness Racing Victoria and Greyhound Racing Victoria. In March 2022, the controlling bodies made a joint referral to me requesting that I establish an independent opportunity for VRI victims to report their experiences. They also asked that I review current processes and systems for responding to these complaints.

The independent review into Victorian racing industry victim support and complaint processes (Review) is of the utmost significance to ensure we have safe and respectful workplaces for everyone who works in the VRI. The time is right for the industry to better understand its past, reach out to all who have been affected, listen to them, learn from their experiences, offer them support and improve how we respond to them – both individually and in the workplace.

The Review is an historic opportunity to understand the experiences and expectations of victims. A trauma-informed approach is at the heart of safeguarding the wellbeing of everyone who takes part in the Review. Participant privacy and maintaining confidentiality over all information provided to the Review is paramount. As is the integrity and independence of the process.

It is a privilege to be entrusted by those who have come forward as part of the Review to date. Their courage and dignity in candidly sharing their experience allows us to better understand what happened to them, how they have been let down, and make sure we do everything we can to support them.

Listening to the insights of people with lived experience provides valuable learnings about what we need to do better to address systemic issues, and how we can drive meaningful and enduring change in workplaces going forward. I strongly encourage anyone who has experienced, is experiencing, or has observed physical and sexual assault and abuse and sexual harassment in the VRI to come forward and take part.

You can still participate by an in-person interview, online survey and/or written submission. The Review will continue into the first half of 2023, and we welcome contributions up until the end of March. We will then evaluate all the information obtained, including existing policies and processes, to prepare our findings and recommendations.

The final report of the Review will be made public, and will be handed down in June 2023. It will pave the way for improved safeguards to prevent and protect everyone who works in the VRI, ensuring that what happens away from the track is as important to the integrity of racing as what occurs on the track.

A handwritten signature in black ink, appearing to read 'Sean Carroll'. The signature is fluid and cursive, with a large loop at the end.

Sean Carroll
Racing Integrity Commissioner
5 December 2022

Review background

Announced in March 2022, the Review establishes an independent opportunity for current and historical victims of physical and sexual assault and abuse and sexual harassment in the VRI to share their lived experience, and to review the industry's current processes and systems for handling such complaints.

The aim of the Review is to ensure that worker wellbeing is at the forefront of the VRI and that people who work in racing are treated with dignity and respect, have access to clear and effective complaint mechanisms, referral pathways and appropriate supports. It will achieve this by–

- speaking with victim survivors, to understand their experiences and expectations
- examining the adequacy, effectiveness and awareness of current complaint handling mechanisms, including support and referrals pathways to prevent and respond to physical and sexual assault and abuse and sexual harassment
- assessing the controlling bodies' capacity and capability to prevent and respond to complaints of physical and sexual assault and abuse and sexual harassment
- making recommendations with a focus on constructive measures that can be implemented in the VRI.

To take part in the Review, you must be aged 18 years or older and:

- someone who works, or has previously worked, in thoroughbred, harness or greyhound racing in Victoria
- someone who volunteers, or has previously volunteered, in thoroughbred, harness or greyhound racing in Victoria
- an organisation or expert with relevant experience or expertise.

The Review will not investigate or make findings about individual allegations of physical and sexual assault and abuse and sexual harassment. Rather, it will provide a systemic picture and path forward, informed by past and current harm, and an understanding of how to embed better industry prevention and responses to these behaviours.

A report on the Review findings and recommendations will be handed down in June 2023.

Methodology

The Review is drawing on the unique perspectives of people who have worked across the VRI and building on lessons from other racing jurisdictions and sporting codes. It will ensure that the VRI is well informed to appropriately acknowledge the impact of past harms, identify future risks, and ensure the industry is doing all it can to safeguard and support all racing participants. This is a collective responsibility across all three racing codes.

The findings and recommendations for the final report will be informed by a robust evidence base, drawn from a wide range of sources. The Review has adopted a mixed methods approach to facilitate this, using qualitative and quantitative research methods.

The Review is being conducted under Victoria University Human Research Ethics Committee approval. Ethics approval was sought to provide independent oversight of the Review, and ensure its methodology is robust and aligned with best practice. This includes requesting participants to provide informed consent before taking part, having a trauma-informed approach to their participation, and ensuring that they know about the specialist counselling, support and referral services available to them.

All information gathered throughout the Review will be collected, used and stored in accordance with the requirements of the Data Privacy and Protection Act 2014 (Vic) and the Public Records Act 1973 (Vic), to protect privacy and confidentiality. Information provided to the Review may be extracted, quoted or referred to in the final report and other resources produced in connection with the Review. However, it will not be attributed or used if it could identify any individual.

As part of the informed consent process, anyone wanting to contribute to the Review is made aware that the Commissioner may be required to disclose information provided if there is a legal obligation to do so. For example, where there is a mandatory reporting requirement for suspected child abuse, or a concern about the immediate safety or risk of harm to someone. To date, the Commissioner has not made any relevant disclosures.

This interim report outlines the progress of the Review to date. It also provides Review participants, the VRI and public with an overview of broad themes and emerging issues relevant to the terms of reference. The interim report does not provide detail of the experiences and evidence of Review participants; de-identified accounts will appear in the final report.

Participation and engagement

All participation in the Review is voluntary. Registrations for the Review opened in July 2022 and will continue until the end of March 2023. All current and former VRI participants who have experienced physical and sexual assault and abuse and sexual harassment in a Victorian racing workplace are invited to contribute.

Following ethics approval and commencement of the information gathering stage, 88 people have contributed to the Review. Of those–

- 66% identify as male, 32% identify as female, and 2% would prefer not to say
- 59% are current or former licensed and registered participants, and 41% are current or former administrators, employees and board or committee members of controlling bodies, racing clubs or industry associations.

Review participants by gender

Female



32%

Male



66%

Prefer not to say



2%

The final report will include full demographic data and information about Review participants

Review participants by role

Trainer



33%

Code/Club/Association employee



41%

Stable/kennel employee



15%

Jockey/driver



11%

Interviews

Over the last three months, the Review team has conducted individual interviews with victim survivors, other licensed and registered VRI participants, and industry stakeholders. Interviews have taken place in various metropolitan and regional locations across Victoria. The overwhelming majority of interviews with victim survivors have been in-person, with a small number taking place via digital platforms.

All interviews follow a semi-structured format. This provides consistency in the collection of data, and flexibility in the capturing of individual experiences and observations, and insights about existing systems and processes and improvements that could be made. As well as hearing the stories of victim survivors, the Review is providing an opportunity for those in positions of responsibility in the VRI to impart their knowledge and expertise, which will assist in informing recommendations made in the final report.

All victim survivors are offered access to specialist external support and trauma counselling services and referral to the appropriate statutory authority or law enforcement agency. Anyone who participates in the Review can access support and counselling if required.

Survey

The Commissioner has engaged a third-party provider to administer an online survey for the Review, to obtain information about the prevalence and nature of physical and sexual assault and abuse and sexual harassment in VRI workplaces, and workplace mechanisms in place to report, support and respond to conduct concerns of this nature. The survey will remain open until the end of March 2023.

Submissions

Submissions can be made through an online form available on the Commissioner's website or by email. Submissions can be anonymous, confidential or public. To date, the Commissioner is yet to receive any submissions that have been assessed as within scope of the Review's terms of reference.

Industry engagement

To ensure it has a thorough understanding of VRI workplaces and individual experiences, the Review has sought wide involvement from a range of people. To date, members of the Review team have attended racecourses, tracks, stables and kennels at Caulfield, Flemington, Cranbourne, Moonee Valley, Sandown, Pakenham, Melton and Ballarat to meet with a range of licensed and registered racing participants from all codes.

This direct engagement has proven an important mechanism to raise awareness about the Review. It has also allowed the Review team to garner an understanding of the varied racing environments within each code and learn about racing workplaces at the coalface. Further attendances of this nature are planned for 2023, with a focus on Victorian regional areas.

Requests for information

The Review team is liaising with the controlling bodies, racing clubs and various VRI associations to seek information and data about–

- VRI participant demographics
- complaints received and referrals made to external bodies and agencies
- the use of external service providers for support and counselling
- training provided to VRI participants on workplace physical and sexual assault and abuse and sexual harassment
- policies and procedures about workplace physical and sexual assault and abuse and sexual harassment, including reporting requirements.

Research

The Review team is also reviewing and analysing domestic and international research and relevant data. The focus of this work is to identify best practice and modern approaches to participant safeguarding, including effective strategies to prevent and respond to physical and sexual assault and abuse and sexual harassment.

Feedback

The Commissioner has sought feedback about the experience of victim survivors who have engaged with the Review, to ensure we meet their needs and expectations about the process and that issues are addressed. Overall, they have indicated that their Review experience has been safe, respectful and valuable. The overwhelming feedback being that they are pleased that the Review is being conducted and have confidence in its independence. Many have also expressed appreciation for the opportunity to share their stories and have told us that they would encourage others to take part, including–

"[I]t's hard to overstate how helpful it is to be heard on this stuff after all this time"

"I never thought any of it would see the light of day, to be honest with you. Speaking about these things does come with a bit of a downside, but I... [a]ppreciate the work you guys are doing".

Initial observations

Although this interim report marks the midpoint of the Review, the need for change is already evident. Acknowledging that society and the VRI have come a long way since the 1970s and 1980s when abuse, assault and harassment often occurred in plain sight, there remains work to be done to ensure racing workplaces safe and respectful for all.

Emerging themes

Key themes raised by the Review will be explored in the final report. At this interim stage, victim survivors have consistently told us that a key motivation for coming forward now is to ensure that others in the VRI are not subject to the behaviours levelled at them. Overwhelmingly, they have articulated a desire to ensure that better safeguards are in place to protect all who work in the VRI.

Numerous victim survivors have also talked about the historical inaction of racing authorities in response to their complaints of sexual and physical abuse and expressed their dismay at what they perceive as 'cover-ups' and complaints being 'swept under the carpet'. For some, the threat of retribution is palpable. Many have spoken about not being offered guidance on what to do or where to complain, and simply tolerated ongoing mistreatment as a result.

We have also heard of the lasting impact of the harm caused. This has resulted in some victim survivors leaving the industry. Others have expressed a desire to walk away but remain working in the VRI due to a lack of options and viable employment elsewhere and need for financial security. The lingering effects on work and personal relationships, their self-worth and wellbeing is profound.

The VRI workplace environment and participant demographics are unique and fragmented in nature, which coalesce to create risk and vulnerabilities in work culture and unacceptable behaviour that has gone unchecked. The need to regularly assess the adequacy of existing safeguards in the form of clear policies and processes to hold inappropriate conduct to account, consistent pathways for reporting and accessing support, and robust education to raise awareness about the standards and measures in place, is paramount.

Reform directions

Emerging themes foreshadow the need for an independent VRI complaint handling mechanism. The practicalities and process require further consideration and will be expanded on in the final report, following consultation with the controlling bodies and other VRI stakeholders in early 2023.

The second half of the Review will also explore how the VRI can proactively create an environment that is safe and inclusive for all and ensure all racing workplaces uphold their obligations under the *Occupational Health and Safety Act 2004 (Vic)* and *Equal Opportunity Act 2010 (Vic)*.

Next steps

This interim report provides an overview of engagement with the Review to date and early observations that can be made from the engagement to date. The information and data gathering phase of the Review will continue until the end of March 2023. The final report will be published at the end of June 2023. It will include detailed findings drawn from the de-identified accounts of people who have contributed to the Review, analysis of the information and data obtained about the experience of victim survivors, the processes and systems that are needed to better respond to their complaints, and recommendations about what the VRI needs to improve.