



WHIP RULE AMENDMENTS

FREQUENTLY ASKED QUESTIONS

1. Why changes have been made to the whip rule

A key function of Harness Racing Australia (HRA) is to advocate the promotion, regulation and improvement of the harness racing Industry in Australia. Further, HRA recommends the adoption of common practices and common rules and regulations in relation to harness racing, with the intent that they shall be common throughout Australia.

With regards to the 'Whip Rule' (AHR 156 and 156A) increasingly, feedback from states, industry participants and the public highlighted the difficulties and variations in regulation between States.

In addition, the industry's image and the potential participation by the wider community, including punters, are impacted by a perception of cruelty due to the highly visible use of the whip by drivers.

A new approach is required to remove the subjectivity of whip use regulation, providing certainty, confidence and uniformity for industry participants, as well as addressing community concerns.

Any new approach also needs to be provided in the context of balancing an exciting sporting event, ensuring races are run fairly, minimising risk of injury to drivers and horses, protecting the welfare of horses and maximising public confidence.

2. Consultation process

The consultative process began early in 2009 and initially incorporated submissions from HRA Members which were reviewed by the Equine Breeding, Animal Welfare and Registration

Committee before discussions on their recommendations were conducted with HRA Members, Chief Executive Officers, the RSPCA, Animal Health Australia, Chairmen of Stewards and industry participants.

Using the agreed recommendations as a base, the amended rules were drafted by the Chairmen of Stewards before being presented to the National Rules Committee for assessment who in turn recommended the rule be adopted by HRA Members at the Annual General Meeting on 12 October 2009. This motion was passed unanimously at the meeting.

Information has also been circulated both internally and externally to provide updates on progress throughout the extensive consultation process, including at various HRA member meetings, Media Releases, interviews and industry publication articles.

3. What were the recommended changes?

The consultative process supported the following recommendations:

- The issue of whips use in harness racing requires urgent attention and a pro-active approach
- Whips are necessary in harness racing
- Reins are not to be crossed during a race (other than for adjusting approved gear)
- The whip must only be used in a flicking action/motion during a race
- The approval of a new, longer and lighter whip should be investigated
- The whip rule is uniform across all States
- A uniform penalty system be developed by Chairmen of Stewards
- An educational DVD inclusive of the following points should be produced prior to introduction of the amended rules in relation to the use of whips in harness racing:
 - Explanation of new uniform rule
 - Video examples of the right and wrong way to use the whip
 - Safety elements of the rule, inclusive of loose lining explanations
 - Explanation of uniform penalty system
 - Explanation of approved whips

- The DVD to be widely available and distributed, including to participant bodies in consultation meetings prior to implementation

4. What is the amended Whip Rule?

Following the consultation process, the HRA Rules Committee unanimously agreed that the Whip Rules should be amended to reflect a more cautious or conservative approach to the use of the whip, being mindful of the need to address several issues including:-

- subjectivity of the rule
- welfare of the animal
- public perception
- capacity to control the horse.

Using the Chairmen of Stewards draft rule as a basis, the following amendments, in bold, were made to Rules 156 and 156A:

- “**156.** (1) A driver shall only use a ***non modified*** whip of the type approved by the Controlling Body.
- (2) *A driver shall at all times hold a rein in each hand unless adjusting approved gear.***
- (3)** (a) A whip shall not be used so as to obstruct, strike or endanger another driver or horse;
- (b) a driver shall not use a whip excessively;
- (c) a driver shall not allow a whip to project outside the sulky;
- (d) a whip shall not be used in a prodding or jabbing motion;
- (e) (Rule 156(2)(e) repealed – AHRC approved 30th March 2007);
- (f) a horse shall not be whipped after it has passed the winning post at the finish of a race, its run is finished, or if it cannot maintain or improve its position in the race.

- (4)** For the purposes of sub-rule **(3)** (b) a driver shall be deemed to have used a whip excessively in the following circumstances which are not exclusive:-
- (a) if the tip of the whip is drawn back further than the driver's shoulder;
 - (b) if the whip action involves more than a wrist and elbow action.
 - (c) *If the reins are lengthened so as to result in loose reining***
 - (d) *If the whip is used other than in a flicking motion.***
- (5)** A person who fails to comply with any provision of sub rule (1), (2) **or (3)** is guilty of an offence.

156A. The approved whip is a flexible whip of black or dark tan colour with a core of fiberglass with a handle base and shaft and ***either a leather keeper to a maximum of 60 millimetres in length and 20 millimetres in width or a non rigid tip*** amounting to a maximum overall length of **1600 millimetres.**

5. What measures are being taken to educate drivers and the industry of the changes?

An educational DVD has been produced in order to provide the harness racing industry with a full explanation of the amended whip rule prior to introduction, inclusive of:

- Explanation of amended uniform rule
- Video examples of the right and wrong way to use the whip
- Safety elements of the rule, inclusive of loose lining explanations
- Explanation of uniform penalty system
- Explanation of approved whips

The DVD is available on the internet at www.harness.org.au and will also be distributed to HRA Members in order to provide localised education programs prior to implementation.

The amended rules will be introduced for trials from 1 November 2009 in order to provide an opportunity for drivers to adjust driving styles in replicated race conditions as part of a transitional process prior to implementation.

Harness Racing Australia is also working closely with TAB's in order to educate the punting public of the changes as well.

6. What type of whip can I use?

The length of the whip has been increased from 1300mm to a length up to 1600mm - inclusive of a leather keeper or non-rigid tip.

A whip cannot be modified, is flexible and must be of a black or dark tan colour with a core of fiberglass with a handle base and shaft and either a leather keeper to a maximum of 60 millimetres in length and 20 millimetres in width or a non rigid tip.

This will allow drivers to carry a whip which best suits their height, reach and driving style within the 1600mm limit.

7. What are the new uniform penalties?

It is understood that the amended rule will require some drivers to make adjustments to their driving styles, and while initially education is the first priority, a suitable set of deterrents are required to ensure compliance.

The amended whip rule is therefore supported by a uniform template of penalties for breaches which were determined collectively by the Chairmen of Stewards at their annual conference.

The penalties will be not less than:

- 1st Offence: \$200
- 2nd Offence: \$400
- 3rd Offence: 14-days

with a 56-day period to be re-set from the date of the most recent offence.

8. When will the amended rule be implemented?

Following the exhaustive consultation process, plus the education and transition period from 1 November 2009, the amended rule will take effect on 1 January 2010.