



Australian Racing Board Limited

CHANGES TO WHIP RULES FAQ

1. WHY HAVE THESE CHANGES BEEN MADE?

The Australian Racing Board has the role of making the Australian Rules of Racing, which set out in detail how races are to be conducted. In making the Australian Rules of Racing the Australian Racing Board has a responsibility to achieve a number of outcomes: creating an exciting sporting event, ensuring that races are run fairly, minimizing the risk of injury to riders and horses; protecting the welfare of horses, maximizing public confidence.

Up until now the Australian Rules of Racing relating to the use of the whip have relied on giving the Stewards the power to penalise riders for use of the whip which is “excessive, unnecessary or improper”, together with a small number of specific prohibitions e.g. specifying that a whip may not be applied forward of a horse’s shoulder or in the vicinity of its head.

The Australian Racing Board received advice from the Chairmen of Stewards from around Australia that this approach was not effective as it needed to be in preventing abuse to horses. The Stewards recommended that the Australian Racing Board should amend the Australian Rules of Racing to make our controls on whip use much more prescriptive. The Australian Racing Board, after extensive consultation, came to the same view.

2. WHAT CONSULTATION TOOK PLACE?

On 12th December, 2008 the Australian Racing Board initiated a process of industry and public consultation. This included publication of a detailed list of draft proposed changes covering all of the matters that subsequently formed the basis for the amendments that have been made to the Australian Rules of Racing. Each Principal Racing authority then engaged in local consultation within the industry.

The Australian Racing Board received submissions from: the RSPCA, Animals Australia, Animal Liberation, Equine Veterinarians Australia, the Australian Jockeys Association, the Australian Trainers Association, the Australian Racehorse Owners Council, and members of the public. The Australian Racing Board CEO, Andrew Harding, and National Chairman of Stewards, Ray Murrthy also hosted a roundtable discussion on the

Australian Racing Board Limited
ACN: 104 986 334

Level 7, 51 Druitt Street, Sydney NSW 2000 Australia
Email: arb@australian-racing.net.au - Tel: + 61 2 9551 7700 - Fax: + 61 2 9551 7708

proposals with representatives of the Australian Jockeys' Association, including a number of current jockeys.

Every submission received was considered by the Australian Racing Board in arriving at its decision.

3. WHY HAVE PADDED WHIPS BEEN MADE MANDATORY?

The Australian Racing Board considered all the arguments for and against padded whips. The best scientific advice available to us says that padded whips do not inflict pain or injury, and that is the outcome we want.

4. WHY IS IT ALSO NECESSARY TO MAKE NEW REGULATIONS THAT LIMIT THE CIRCUMSTANCES AND MANNER IN WHICH A WHIP MAY BE USED?

The proposals drafted for the Australian Racing Board's consideration by the Stewards consisted of a package of reforms. The advice from the Stewards was that in addition to changing the type of whip used it was important to make other changes limiting the manner and circumstances of whip use so to effect a substantial change to the public presentation of racing. The Australian Racing Board came to the same view: the need for a cultural change was clear.

What happens from the turn into the straight is where major problems have existed, and the new rules will focus on this. The whip is not to be used more than 5 times before the 200 metre mark, and after that point not in consecutive strides. Moreover, using an action that raises the arm above shoulder height will now be prohibited as will the use of the whip where there are no prospects of improving the horse's placing.

5. WHAT IS BEING DONE TO EDUCATE RIDERS AND THE INDUSTRY ABOUT THE CHANGES?

While for many jockeys their riding styles don't greatly rely on the whip, for some there will be real adjustment required. We are determined to provide meaningful help to them in making this adjustment. One of the practical Measures agreed on is the development of a DVD that will demonstrate what is and what is not permissible."

6. IS THERE A RISK THAT SOME RIDERS WILL IGNORE THE RULES IN A TIGHT FINISH IN A GROUP RACE AND GAIN AN UNFAIR ADVANTAGE?

Education is our first priority: we want to do everything possible to ensure that no rider is penalised for not understanding the new requirements. Nevertheless, once a proper period of education has been completed, compliance with the new requirements must be supported by a suitable set of deterrents. In this respect the April 2009 meeting of the National Chairman of Stewards has been instructed to examine:

- *The development of a national template of penalties for breaches of controls on use of the whip.*
 - *The development of a policy of forfeiture of prize money percentages in the case of egregious breaches of the new controls, in addition to other penalties.*
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7. WHY HAS THE BOARD INTRODUCED A NATIONAL BAN ON STOCK WHIPS?

The use of stock whips is currently banned by the racing industry in a number of States and Territories. It has been decided to give this the force of a national ban under the Australian Rules of Racing.

8. WHEN WILL THE NEW RULES COME INTO EFFECT?

1st August 2009 has been set as the implementation date for the new rules. It was identified that the period from 19th March – 31st July was necessary for: approval of specifications, supply and acquisition for the new padded whips, preparation of educational materials, and implementation of a campaign to educate jockeys, other industry participants and fans. The national ban on stock whips will come into effect from 1st May, 2009 so as to allow sufficient time for the change to notified within the industry.

9. WHAT DO THE NEW RULES ACTUALLY SAY?

The amended Rule of Racing concerning whip use will be as follows:

AR137A.

- (1)
 - (a) Only padded whips of a design and specifications approved by a panel appointed by the Australian Racing Board may be carried in races or official trials.
 - (b) Every such whip must be in a satisfactory condition and must not be modified in any way.
 - (c) The Stewards may confiscate any whip which in their opinion is not in a satisfactory condition or has been modified.
 - (d) Any rider who has been found guilty of a breach of this subrule may be penalised. Provided that the master and/or other person who is in charge of an apprentice jockey at the relevant time may also be penalised unless he satisfies the Stewards that he took all proper care to ensure the apprentice complied with the rule.
 - (2) Only whips of a design and specifications approved by a panel appointed by the Australian Racing Board may be carried in trackwork.
 - (3) The Stewards may penalise any rider who in a race, trial or trackwork, or elsewhere uses his whip in an excessive, unnecessary or improper manner.
 - (4) Without affecting the generality of subrule (3) of this rule, the Stewards may penalise any rider who in a race or trial uses his whip -
 - (a) forward of his horse's shoulder or in the vicinity of its head; or
 - (b) using an action that raises his arm above shoulder height; or
 - (c) when his horse is out of contention; or
 - (d) when his horse is showing no response; or
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- (e) after passing the winning post; or
 - (f) causing injury to his horse; or
 - (g) when his horse is clearly winning ; or
 - (h) has no reasonable prospect of improving or losing its position, or
 - (i) in such manner that the seam of the flap is the point of contact with the horse, unless the rider satisfies the Stewards that this was neither deliberate nor reckless.
- (5) In a race or trial a rider using the whip must give his horse time to respond and, other than on one occasion in the last 200 metres when the whip may be used in three consecutive strides, the whip shall not to be used in consecutive strides, other than in a slapping motion down the shoulder, with the whip hand remaining on the reins, or alternatively in a backhand manner.
- (6) A rider shall not use the whip more than 5 times prior to the 200 metres other than with a slapping motion down the shoulder, with the whip hand remaining on the reins, or alternatively in a backhand manner
- (7) (a) Any trainer, owner or authorised agent must not give instructions to a rider regarding the use of the whip which, if carried out, might result in a breach of this rule.
- (b) No person may offer inducements to a rider, to use the whip in such a way that, if carried out, might result in a breach of this rule.
- (8) Any person who fails to comply with any provisions of this rule is guilty of an offence.
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