

# **Racing Queensland Limited**

## **DRUG AND ALCOHOL POLICY (Licence holders and Race club officials)**

### **DATE THE POLICY WAS MADE**

This policy was made on 1 July 2010.

### **COMMENCEMENT**

The Policy comes into effect on 1 July 2010.

### **PURPOSE**

Racing Queensland Limited (Racing Queensland) is authorised by the *Racing Act 2002 (Act)* to make policy for the purpose of good management of the code of racing. The Act requires that rules of racing be authorised by policies made under the Act.

Given the nature of activities associated with the Queensland racing industry, there are risks of injury to racing participants and to members of the public that can be minimised if all those involved in the codes of racing carry out their responsibilities safely and efficiently. Use of alcohol and other drugs can significantly impair performance and therefore increases the risk of injury. This is unacceptable for both occupational health and safety and for public liability reasons.

This Drug and Alcohol Policy sets out industry policy on the standards expected of licence holders and race club officials responsible for the control of racing animals at licensed venues. It also addresses the manner in which Racing Queensland will enforce these standards.

The desired outcome to be achieved is the safe and professional conduct of race meetings (and of related activities such as training), free of risk of injury to persons and animals occurring as a result of alcohol or drug impaired performance by those responsible for the control of registered animals. This includes licence holders such as jockeys, drivers, trainers, attendants and stablehands as well as race club officials with duties that involve the control of racing animals.

The specific objectives of this policy are to:

- establish standards in relation to alcohol and other drug use when carrying on a licensed activity or official duties;
- explicitly authorise Racing Queensland stewards to act in circumstances where there is a reasonable belief that a person is affected by alcohol or other drugs in order to prevent that person from being in control of a racing animal at a venue of a licensed club;
- authorise a drug and alcohol testing regime (including random testing) to apply to any licence holder responsible for the control of a racing animal at a venue of a licensed club; and
- explicitly provide for race club officials with responsibilities that include the control of racing animals to be subject to the direction of Racing Queensland stewards if there is a reasonable belief that the official's performance is impaired or likely to be impaired by alcohol or other drugs.

## **POLICY STATEMENT**

No licence holder may be in control of a racing animal if that person has taken a banned substance exceeding prescribed levels. Banned substances and levels refer to:

- alcohol at levels exceeding prescribed concentrations;
- illicit drugs;
- prescription drugs at levels likely to impair individual performance; and
- any other substances listed as banned substances at levels specified in the rules of racing.

No race club official may perform duties that involve the control of registered animals if the official has taken a banned substance. No race club official performing the duties of starter, assistant starter, judge, assistant judge, barrier attendant, clerk of the course or clerk of scales shall consume any alcohol 24 hours before the day of the race meeting, or on the day of, or during the course of a race meeting.

Racing Queensland considers that the misuse of drugs and alcohol poses serious risks to the safety of both Queensland racing industry participants and members of the general public and will not be condoned. Penalties imposed will reflect this stand, and may include suspension or disqualification of licence for proven offences.

If a steward has a reasonable belief, based on their own observations or on medical advice or other relevant information, that a person has taken or consumed a banned substance and that the person's performance has been or may be likely to be impaired as a result, the steward:

- will act immediately to prohibit that person access to a racing animal until satisfied that the person's performance is not impaired by the taking of a banned substance, including standing down a licence holder from taking part in a race or training activity or in the case of an official, relieving that person of official duties at the event; and
- may direct the person to provide a specimen or to take an approved test or tests to confirm the presence of banned substances.

Random or targeted alcohol and drug testing may be conducted at any venue of a licensed club. Any licence holder or race club official responsible for the control of a registered animal at that venue may be tested for any banned substance.

Racing Queensland stewards are empowered to take or to direct the taking of approved tests by an authorised person. Refusal to submit to a test or failure to otherwise comply with the lawful direction of the steward on this matter constitutes an offence under the rules of racing.

Racing Queensland stewards are authorised to take action to prevent a person access to a racing animal on the basis of an initial or screening test result, including standing down a licence holder from taking part in a race or training activity until test results show that the person is clear of the prohibited substance.

Procedures and protocols used for testing will be consistent with relevant national standards and practice. This includes test cut-off levels for illicit drugs under applicable Australian and New Zealand standards, use of approved tests applied by authorised persons trained in the use and calibration of the relevant equipment, test replication and analysis by accredited laboratories where appropriate to the type of test used. Blood samples may only be taken by an authorized medical professional. Persons who test positive to a prohibited substance will be provided the opportunity to show cause why disciplinary action should not be taken against them (for example, evidence from own medical practitioner that the person has been prescribed particular medication).

Tests will be conducted in a manner that respects the privacy of the person from whom the sample is being collected. The time, place and name of each person who handles a sample must be recorded so as to provide a documented chain of custody.

Information relating to the taking of a test and the outcomes of the test will be treated confidentially. Access to records documenting test taking and outcome information is limited to those Racing Queensland staff with responsibilities that require access to such information.

## **APPLICATION**

This policy applies to, but is not limited to the following categories of persons:

- attendants;
- jockeys;
- drivers;
- trainers;
- stablehands;
- foreperson;
- kennel attendants;
- starters
- any new categories of licence holder with equivalent responsibilities, established under the rules of racing or the Act;
- any other categories of licence holder established under the rules of racing or the Act with responsibilities for the control of racing animals at licensed venues; and
- race club officials whose responsibilities may require physical contact with an animal, for example, to assist the rider to control or position an animal e.g. barrier attendants.

## **DEFINITIONS**

'Accredited laboratory' refers to a laboratory authorised by Racing Queensland to analyse samples taken from licence holders and officials of Racing Queensland Limited for the presence of banned substances.

'Approved tests' refer to tests authorised by Racing Queensland.

'Authorised medical professional' refers to a registered medical practitioner or to a registered nurse qualified as a phlebotomist, authorised by a Racing Queensland steward to take blood samples for the purpose of analysis for a banned substance.

'Authorised persons' refers to categories of persons authorised by Racing Queensland to conduct approved tests.

'Banned substances', as used in this policy, refers to the presence of the following substances (and/or their metabolites and isomers):

- alcohol at levels exceeding prescribed concentrations;
- an illicit drug, defined as any substance listed as a dangerous drug in the *Drugs Misuse Regulations 1987* unless prescribed by an authorised medical practitioner and therefore constituting a prescribed drug below, at levels set by standard drug tests and applicable Australian and New Zealand standards for that test;
- medications, including prescribed drugs at levels likely to impair individual performance based on the advice of an authorised medical practitioner; and

- any other products listed as banned substances at the levels specified in the rules of racing or at zero levels where levels are not explicitly provided for in the rules of racing for that banned substance.

'Control of an animal' refers to a person's responsibility for physical control of a racing animal or animals at a venue of a licensed club, regardless of whether that person has actual physical contact with the animal at the time. It therefore includes, for example, a jockey or driver scheduled to take part in a forthcoming race, or a race club official, such as a barrier attendant whose duties may require physical contact with an animal to assist the rider or driver to control or position an animal.

'Prescribed concentrations' refers to the levels of alcohol concentration specified in the rules of racing for a particular role or function and to a level of zero (0) where not explicitly provided for in the rules.

'Racing animals' means thoroughbred and harness racing horses and greyhound dogs.

'Refusal to submit to a test' includes, at any time after being notified of the testing requirements, failing to provide enough breath for alcohol testing or failing to provide enough urine or other specimen required for drug testing without a valid medical reason or obstructing the testing process in any other way.

## **PROCEDURES**

### ***Roles and responsibilities***

The Director of Integrity Operations (or equivalent position) is responsible for:

- establishing procedural guidelines for Racing Queensland staff on the operation of all approved tests;
- ensuring staff authorised to conduct approved tests are appropriately trained in the use of relevant equipment and testing procedures, including chain of evidence issues;
- establishing a credible system for random selection in relation to random testing;
- establishing arrangements with accredited laboratories that include appropriate levels of confidentiality governing the transfer of information about individuals being tested and test outcomes;
- establishing and maintaining record-keeping procedures that protect confidentiality of information and protect the privacy of individuals concerned;
- monitoring the implementation of this policy and bringing to the Chairman's attention issues relevant to its implementation and compliance; and
- promoting awareness among industry participants of their occupational health and safety obligations and public liability issues around drugs and alcohol in the workplace and encouraging industry employers to introduce appropriate policies and practices to address drug and alcohol misuse among their employees.

Racing Queensland stewards are responsible for:

- acting where there is a reasonable suspicion that the performance of a person responsible for the control of a racing animal is or is likely to be impaired by drugs or alcohol, and preventing that person access to the animal if he/she has a reasonable belief that there is risk of drug or alcohol -impaired performance;
- conducting drug and alcohol testing in strict accordance with the procedural guidelines and in a professional manner;
- impartial administration of random testing; and

- investigating and taking action on breaches of this policy and of associated rules of racing in accordance with the powers and responsibilities of Racing Queensland stewards.

### **Rules of Racing**

Rules of Racing provide for the application of this policy. The Rules of Racing that have been made/or adopted for this policy include, Australian Rules (AR) 81(4), 81A 81AA and 81B and Local Rules 157 to 163.

### **Review**

This policy was reviewed in September 2010.

Next review date will be September 2012.

### **REVISION HISTORY**

<b>Version</b>	<b>Date</b>	<b>Description</b>
1.01	July 2010	Board adopted under exceptional circumstances
1.02	September 2010	Board confirmed this policy continued to have effect