

IN THE MATTER of the Queensland Racing Commission of Inquiry  
before the Honourable Justice Margaret White AO  
pursuant to the *Commissions of Inquiry Order (No.1) 2013*

**AFFIDAVIT OF MARGARET ANN REYNOLDS**

**MARGARET ANN REYNOLDS** of [REDACTED] in the State of Queensland states on oath:

1. My date of birth is [REDACTED]. I am currently [REDACTED] years of age and I am retired.
2. I have received a Notice dated 5 July 2013 from the Queensland Racing Commission of Inquiry (**Commission**) requiring me to give information in a written statement. The information required relates to my knowledge of the matters set out in the Schedule annexed to the Notice (**Schedule**).

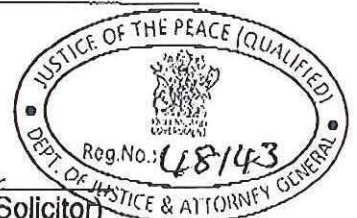
**Background in harness racing**

3. I have been involved with the harness racing industry in Queensland for the past 50 or so years, including having been:
  - (a) a committee member of the Rocklea, Ipswich, Redcliffe, Marburg, Gold Coast and Townsville Harness Racing Clubs at various times between 1985 and 2004;
  - (b) a member of the Breeders, Owners, Trainers and Reinspersons Association (Qld) Incorporated (**BOTRA**) for more than 10 years;
  - (c) the Secretary and Treasurer of BOTRA since approximately 2006; and
  - (d) a member of the Queensland Harness Racing Board (**QHRB**) between 2004 and 2006.
4. The Glossary to the Schedule defines the "Relevant Entities" which are of interest to the Commission. I was not an employee or otherwise formally associated with any of the Relevant Entities during the Relevant Period. In particular, with respect to my involvement with:
  - (a) QHRB, my role as Board Member ceased before 1 January 2007, being the start of the Relevant Period; and
  - (b) Queensland Harness Racing Limited (**QHRL**):
    - (i) I was appointed director on 23 December 2010, at which time QHRL was no longer the control body for harness racing in Queensland; and

Page 1

Signed: M. Reynolds

Taken by: McWilson  
(Justice of the Peace/Solicitor)



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(ii) I am one of 3 directors, the other 2 being Mr Kevin Seymour and Ms Janice Dawson, who were both appointed on 17 October 2007;

5. I have no direct knowledge as to the matters described in section 1 of the Schedule (Contract management and financial accountability), section 5 (Employment Contracts: Tuttle, Orchard, Brennan, Reid) or section 7 (Funds Transfer In February 2012: Queensland Government to Queensland Racing Limited Infrastructure Trust Account).

**Section 2 of the Schedule: Management**

6. In my role as Secretary and Treasurer of BOTRA I have had various dealings with Racing Queensland Limited (Racing Queensland), QHRL and QHRB and as a result have acquired some direct knowledge of, and to some extent formed views about, the management of those organisations.

7. In respect of QHRB:

(a) in the period between January 2007 to June 2008 BOTRA liaised with the QHRB on matters concerning the industry. To the best of my knowledge, during this period Mr Bob Lette was the Chairman of and Mr Andrew Kelly was the CEO of QHRB. BOTRA had "Product Industry Group" meetings with QHRL during this period, however I did not attend them. These were attended by President, Philip Mitchell and Vice President, David Lewis for BOTRA;

(b) I am not aware of the specific management policies or processes in place at QHRB during the Relevant Period, however BOTRA had a good working relationship with QHRB during this time and, so far as I was aware, QHRB had competent management and appropriate policies and practices;

(c) I believe the persons best placed to comment on paragraphs 2.2 and 2.3 of the Schedule would be Mr Lette or Mr Kelly.

8. In respect of QHRL:

(a) between July 2008 and June 2010 BOTRA was involved with QHRL. During this period the majority of BOTRA's dealings were with Mr Mike Godber, the CEO, and, to a lesser extent, Bob Lette, the Chairman of the Board. In the majority of these meetings BOTRA was represented by its President Terry MacDermott, David Lewis and Bill Dixon, however I attended some meetings;

(b) as Secretary I would periodically prepare updates to the BOTRA membership regarding BOTRA's activities. Attached hereto and marked "MAR-1" is a true copy of a newsletter I produced in approximately late 2008 concerning an industry meeting I attended with David Lewis and Mike Godber;

(c) I am not aware of the specific management policies or processes in place at QHRL during the Relevant Period, however nothing indicated to me that QHRL had inadequate management policies, processes, guidelines or practices or that QHRL was not being competently managed;

Page 2

Signed:

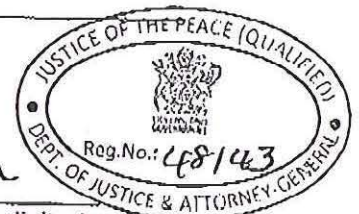
*In A Reynolds*

Taken by:

*me Wilson*

(Justice of the Peace/Solicitor)

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- (d) BOTRA mostly enjoyed a good working relationship with QHRL, apart from the period in early to mid 2010 when BOTRA disagreed with QHRL's decision to agree to the amalgamation of the three racing codes to form Racing Queensland. As to the decision by QHRL to support the amalgamation, attached hereto and marked:
- (i) "MAR-2" is a true copy of a letter from Phil Mitchell, the Authorised Representative of Class A Members of QHRL to the QHRL Board of Directors dated 25 January 2010 setting out the reasons why the Class A Members objected to the proposed amalgamation;
  - (ii) "MAR-3" is a true copy of a letter from Bob Lette, Chairman of QHRL dated 4 February 2010 regarding the amalgamation;
  - (iii) "MAR-4" is a true copy of a letter dated 16 May 2010 from Bill Dixon, Chairman of the Tri-Code Industry Participants Meeting, to Her Excellency Ms Penelope Wensley AO, Governor of Queensland enclosing letter from Government House to Jim Carlton dated 29 March 2010.
- (e) I believe the persons best placed to comment on items 2.2 and 2.3 of the Schedule would be Mr Godber and/or Mr Lette.

9. In respect of Racing Queensland:

- (a) following amalgamation of the harness, greyhound and thoroughbred codes under the sole control of Racing Queensland on 1 July 2010 (the **amalgamation**), BOTRA sought meetings with Racing Queensland to discuss its plans for the future of the harness racing industry;
- (b) I had concerns from the outset that there were problems with the management structure of Racing Queensland because:
  - (i) of the way in which Racing Queensland went about consultation with the harness racing industry for the amalgamation of the 3 codes. In my opinion there was no genuine consultation process with the harness racing code;
  - (ii) the amalgamation occurred without a proper business plan in place, or a plan to ensure the future of the harness racing industry generally;
  - (iii) by comparison to the good experiences I had had with QHRB and QHRL, it was unusually difficult to organise meetings with Racing Queensland and Mr Bob Bentley; and
  - (iv) in meetings I attended following the amalgamation involving Bob Bentley and other Racing Queensland executives concerning the proposed sale of Albion Park, programming issues, the "Q-Bred" Scheme and Racing Queensland's Infrastructure Plan, I found Mr Bentley's management style to be heavy handed and that his style was to "dictate" his will to the clubs;
- (c) attached hereto and marked "MAR-5" is a true copy of a BOTRA newsletter I helped produce in 2 July 2010.

Page 3

Signed: \_\_\_\_\_

*Michael Reynolds*

Taken by: \_\_\_\_\_

*MC Wilson*  
(Justice of the Peace/Solicitor)

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- (d) I have never been aware of the management policies or processes in place at Racing Queensland. However, having regard to the above observations I believe there may have been insufficient management policies and processes in place, or that if such policies and processes existed, they may not have been adhered to;
- (e) I believe the persons best placed to comment on items 2.2 and 2.3 of the Schedule would be Mr Bentley and/or Mr Tuttle and/or Mr Brennan and/or Ms Murray/Reid.

**Section 3 of the Schedule: Corporate Governance**

- 10. I do not have any direct knowledge of the corporate governance arrangements of Racing Queensland, nor knowledge of any of its policies, rules or procedures in the Relevant Period or otherwise.
- 11. In my capacity as Treasurer and Secretary of BOTRA, and as a harness racing enthusiast, I was informed by David Lewis in early 2010 that, in the period leading up to the amalgamation, commitments had been given to QHRL by Mr Bentley and Racing Queensland that:
  - (a) harness racing would continue to receive 14.5% of TAB revenue which was negotiated under the "Intercode Agreement"; and
  - (b) Albion Park would continue to be the long term home of harness racing.
- 12. In the period following the amalgamation, it became clear that neither of these promises would be kept by Mr Bentley and Racing Queensland. Given that, and for the reasons set out in paragraph 11 above, during 2010 I formed the view that the executive officers of Racing Queensland had not acted with integrity, or in the best interests of the racing industry.
- 13. I am aware that litigation was instituted by QHRL in approximately December 2010 against Racing Queensland and Bob Bentley in relation to the sale of Albion Park. I understand that this litigation gave rise to issues surrounding the integrity of officers of Racing Queensland. I am able to provide further information regarding these proceedings if required.
- 14. Attached hereto and marked "MAR-6" is a true copy of a newsletter sent to BOTRA members in 2011 regarding the Intercode Agreement and the proposed sale of Albion Park.

**Section 4 of the Schedule: Oversight by the Minister, the Executive Government, the Chief Executive**

- 15. As to 4.1, I do not have any direct knowledge of government oversight of the Relevant Entities during the Relevant Period. However, as a body representing the harness racing industry in Queensland, BOTRA does from time to time make submissions to government regarding industry issues.

Signed: \_\_\_\_\_

*M. A. Reynolds*

Taken by: \_\_\_\_\_

*M. E. Wilson*

(Justice of the Peace/Solicitor)

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16. During the second half of 2010, in the period following the amalgamation, Bill Dixon, President of BOTRA and David Lewis met with Mike Kelly of the Office of Racing. I did not attend, but I do know that the meeting concerned the future of the harness racing industry in Queensland generally and in particular matters concerning prize-money and horse breeding issues.
17. Bill Dixon and David Lewis told me after the meeting that none of these issues were able to be progressed with the Office of Racing and that they were informed that their concerns should be taken up with Racing Queensland.
18. Bill Dixon also told me that a similar response was received when he met with the Minister for Racing, Mr Peter Lawler on 16 June 2010.
19. Given that some of BOTRA's complaints related to the conduct of Racing Queensland itself, during 2010 I formed the view that it was not appropriate for the Office of Racing and the Minister for Racing to delegate responsibilities in the way that they did, and that as a consequence there was an insufficient level of oversight of the actions and operations of Racing Queensland.
20. Attached hereto and marked:
  - (a) "MAR-7" is a true copy of an email I received from Raylene Dixon dated 17 November 2010 describing the meeting attended by Bill Dixon on 16 June 2010;
  - (b) "MAR-8" is a true copy of a letter dated 25 July 2011 sent by BOTRA President Bill Dixon to Members of State Parliament regarding oversight of Racing Queensland and various actions taken by Racing Queensland to the detriment of the harness racing industry;
  - (c) "MAR-9" is a true copy of a letter to BOTRA from the Office of the Premier dated 31 January 2011.

**Section 6 of the Schedule: Queensland Race Product Co. Limited and Tatts Group**

21. As to paragraphs 6.1 to 6.6, I have no direct knowledge of the negotiations between Tatts Group and the Queensland Race Product Co over race information fees. The first time that I heard about the race information fee agreement was when I read about it in the media in late 2011 or early 2012.
22. Although I have no direct knowledge regarding the actions of the directors and executives involved, at the time I recall being disappointed that the deal had been made and suspicious of the motives of those who had negotiated it, given that the result of the agreement was to drastically reduce the amount of prize-money available to harness racing, and the racing industry as a whole.
23. All the facts and circumstances deposed to in this my Affidavit are within my own knowledge and belief, except for the facts and circumstances deposed to from information only, and my means of knowledge and sources of information appear on the face of this my Affidavit.

Page 5

Signed: \_\_\_\_\_

*M. Reynolds*

Taken by: \_\_\_\_\_

*McWilson*

(Justice of the Peace/Solicitor)

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IN THE MATTER of the Queensland Racing Commission of Inquiry  
 before the Honourable Justice Margaret White AO  
 pursuant to the *Commissions of Inquiry Order (No.1) 2013*

**CERTIFICATE OF EXHIBITS**

Exhibits to the affidavit of Margaret Ann Reynolds sworn 26 July 2013.

Exhibit No.	Description	Date	Page
"MAR-1"	Newsletter to BOTRA members	late 2008	1
"MAR-2"	Letter from Phil Mitchell, Class A Members Authorised Representative to the Board of Directors, QHRL	25.01.2010	2 – 3
"MAR-3"	Letter from R J Lette	04.02.2010	4
"MAR-4"	Letter from William Dixon, Chairman of Tri-Code Industry Participants Meeting to Her Excellency Ms Penelope Wensley, AO Governor of Queensland enclosing letter from Mark Gower OAM, Government House to Jim Carlton dated 29.03.10	16.05.2010	5 – 6
"MAR-5"	Letter from David Lewis, President, BOTRA to BOTRA members	02.07.2010	7
"MAR-6"	Letter from BOTRA Management Team to "Members and Stakeholders"	2011	8
"MAR-7"	Email from Raylene Dixon to Margaret Reynolds titled "Meeting with Minister for Tourism and Trading 16 6 2010.docx"	17.11.2010	9
"MAR-8"	Letter from William Dixon, President, BOTRA to "Dear Honourable Member"	25.07.2011	10
"MAR-9"	Letter from Nick Williams, Office of the Premier, to Bill Dixon, President, BOTRA	31.01.2011	11

Signed: *M. A. Reynolds*

Taken by: *M E Wilson*  
 (Justice of the Peace/Solicitor)



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SWORN by MARGARET ANN REYNOLDS on 26 July 2013 at BRISBANE in the presence of:

MARGARET ANN REYNOLDS  
Deponent

M C Wilson  
A Justice of the Peace/Solicitor



*[A large, curved handwritten line, possibly a signature or scribble, spanning across the lower half of the page.]*

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▼ MREYNOLDS

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26/07/2013

"MAR-1"

Standard, Owners, Trainers & Participants Association (SOTPA) Inc.

Meeting Minutes / 2008 / 2009 / 2009

David Lewis and I met with Mike Corbar on 27 November. Phil Dixon and Phil Mitchell did not attend due to unexpected business commitments. We presented the letter of 27 November and spoke to the issues.

Communication and Consultation

Mike believed there was a "cultural change" occurring within the Board and that this change would lead to improved communication and consultation with the industry. Mike gave a commitment that he would consult with SOTPA on any issues which "directly involved" the industry. In specific terms, he said that all the examples that we had raised in the letter would be the type of matters he would discuss with the industry.

Promotion and Image

Mike agreed that the image of the industry needed to be improved and also listened intently to our views about unruly behavior and the light penalties given. He gave no commitment or indication as to how he might deal with this matter.

Concessional Claim

David spoke strongly about this matter in terms of the process used and outcomes. Mike would not agree the process was flawed and stressed that the ultimate decision was made by the Board of Directors who cushioned the outcome by providing for a review in 12 months time. He indicated that there would be no change to the policy until the matter was reviewed in 12 months.

We also raised several other issues during the discussion.

Albion Park

The Board is strongly committed to remaining at Albion Park long term despite the issues with the Greyhounds. Mike believes the Greyhounds are slowly realizing that a solution must be found and significant progress may be made in the next month or six weeks. The Greyhounds would like to move to a location at Logan but are asking too much as their payout for leaving Albion Park and, in view of their relocation, were reluctant to contribute to the cost of demolishing the old stand. Mike believes that, due to the current economic environment, Albion Park could be developed progressively which would include retaining but improving the current track.

Prizemoney

There will be no further increases to prizemoney this financial year.

Race Field Legislation

Mike felt that this could be the biggest issue facing harness racing for some time. The drift of the betting dollar to the corporate bookmakers and Betfair is growing, without any return to the industry. The current court case in NSW may be an indicator as to whether these businesses will be made to contribute to the revenue for the industry.

Business Plan

Harness Racing Queensland does have a business plan but it was written before the demise of the Albion Park stand and the current economic climate. Mike indicated he would be writing the 2009 plan and inferred that the current one may not be all that helpful.

Conclusion

The discussion was fruitful without any major commitments beyond consultation being made. We did impress that the industry was impatient for improvements and morale was low.

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26/07/2013



The Board of Directors  
Queensland Harness Racing Limited  
Albion Park Raceway

Yulestar St Albion Qld 4010

25/01/2010

Dear Directors

**Objection to the proposed amalgamation of control bodies under the Racing Act 2002 (Qld)**

I am writing to you as the Authorised Representative of the Class A Members of Queensland Harness Racing Limited (QHRL).

For very cogent factual and legal reasons, the Class A Members' unanimously convey and stress their strong objection to you the QHRL Board members, to the proposed amalgamation of the three control bodies for thoroughbred racing, harness racing and greyhound racing in Queensland.

The Class A Members require (and indeed expect) your Board members to exercise their duties properly, which carry the very clear obligation to act in the best interests of their members as a whole. In so making decisions as a director, the interests of third parties are clearly and mandatorily subservient (indeed irrelevant) to those of those members.

**The Class A Members' objection to the proposed amalgamation**

The Class A Members are of the clear and unambiguous view that the proposed amalgamation of the control bodies is not in the best interests of harness racing in Queensland. The reasons for this include, but are not limited to:

1. the loss of self-determination as the control body of harness racing in Queensland, where the current structure involves acting solely for and in the interests of and conducive to the interests of harness racing, the various clubs and other entities interested and involved in harness racing;
2. the inability, under an amalgamated control body, to adopt practices and measures that may enhance and/or be suitable and appropriate for harness racing, but which may conflict with the other Board represented interests, particularly where those interests hold controlling Board numbers on the proposed post amalgamation Board;
3. the cessation of clubs' and other members' ongoing access to a dedicated harness racing controlling entity (QHRL) as the controlling body in respect of issues specific to and relevant to the regulation of harness racing in Queensland;
4. the under-representation of harness racing on the post amalgamation Board where directors' representations are weighed numerically towards other (and potentially competing) racing interests and the consequent and obvious clear potential for conflict resulting in decisions potentially or actually detrimental to the interests of the *harness racing membership* inherent in such a structure, where such directors, in undertaking their fiduciary obligations, must do so for the members as a whole; and
5. the absence of any real or present demonstrated need for such amalgamation, save for the apparent desire of Queensland Racing Limited to gain control over all racing industries in Queensland. Absent the current proposal for amalgamation, (proposed and pursued vigorously by Queensland Racing Limited), there can be *no* suggestion that the Board of QHRL would be proposing or pursuing such a course. It is submitted that that is so because such an amalgamation is not and has not been credibly demonstrated as being, in the best interests of QHRL or its members.

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N

h.d.

6. The absence of the most basic and Fundamental information such as a 5 or 10 year business plan and a Cost benefit analysis would have us question how the Board could make an informed decision.

**The Board of QHRL must act in the best interests of QHRL and its members**

The Board will be aware of its duties to QHRL (the members) pursuant to the Constitution of QHRL, the common law and legislation. The Board will also be aware of the appropriate enquiries it is required to undertake in order to ensure that it is fully informed of all relevant matters before making a decision for and on behalf of QHRL.

The Board must be conscious of the clear obligation that in circumstances where the collective interests of its members and the interests of third parties diverge, the Board is mandatorily required to act in the best interests of its members, without fear or favour of any third party's interests.

The serious consequences for the Directors of QHRL not acting in accordance with their duties clearly impact on (and are actionable by) its members. The Board should be under no misapprehension that its Class A Members require the Board to act in the interests of QHRL, failing which the Class A Members may be required to take whatever steps (legal, procedural or otherwise) required to protect their rights and interests and the rights and interests of those involved with harness racing in Queensland more generally.

In summary and conclusion, the Class A Members do not believe there is any credible factual or legal basis upon which the members of the Board of QHRL can or should, in acting in accordance with their fiduciary obligations, agree to or condone such amalgamation.

Yours faithfully

Phil Mitchell

Class A Members Authorised Representative

"MAR-3"

QUEENSLAND HARNES RACING LIMITED  
 ABN 77 128 054 324  
 100/102/104/106/108/110/112/114/116/118/120/122/124/126/128/130/132/134/136/138/140/142/144/146/148/150/152/154/156/158/160/162/164/166/168/170/172/174/176/178/180/182/184/186/188/190/192/194/196/198/200/202/204/206/208/210/212/214/216/218/220/222/224/226/228/230/232/234/236/238/240/242/244/246/248/250/252/254/256/258/260/262/264/266/268/270/272/274/276/278/280/282/284/286/288/290/292/294/296/298/300/302/304/306/308/310/312/314/316/318/320/322/324/326/328/330/332/334/336/338/340/342/344/346/348/350/352/354/356/358/360/362/364/366/368/370/372/374/376/378/380/382/384/386/388/390/392/394/396/398/400/402/404/406/408/410/412/414/416/418/420/422/424/426/428/430/432/434/436/438/440/442/444/446/448/450/452/454/456/458/460/462/464/466/468/470/472/474/476/478/480/482/484/486/488/490/492/494/496/498/500/502/504/506/508/510/512/514/516/518/520/522/524/526/528/530/532/534/536/538/540/542/544/546/548/550/552/554/556/558/560/562/564/566/568/570/572/574/576/578/580/582/584/586/588/590/592/594/596/598/600/602/604/606/608/610/612/614/616/618/620/622/624/626/628/630/632/634/636/638/640/642/644/646/648/650/652/654/656/658/660/662/664/666/668/670/672/674/676/678/680/682/684/686/688/690/692/694/696/698/700/702/704/706/708/710/712/714/716/718/720/722/724/726/728/730/732/734/736/738/740/742/744/746/748/750/752/754/756/758/760/762/764/766/768/770/772/774/776/778/780/782/784/786/788/790/792/794/796/798/800/802/804/806/808/810/812/814/816/818/820/822/824/826/828/830/832/834/836/838/840/842/844/846/848/850/852/854/856/858/860/862/864/866/868/870/872/874/876/878/880/882/884/886/888/890/892/894/896/898/900/902/904/906/908/910/912/914/916/918/920/922/924/926/928/930/932/934/936/938/940/942/944/946/948/950/952/954/956/958/960/962/964/966/968/970/972/974/976/978/980/982/984/986/988/990/992/994/996/998/1000

4<sup>th</sup> February 2010

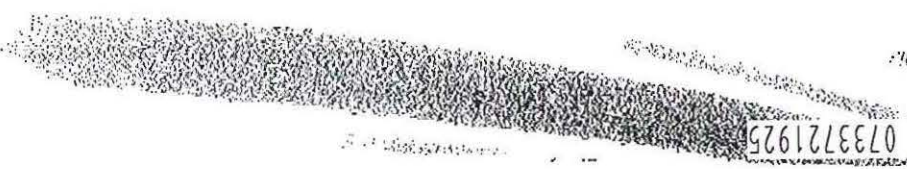
**PROPOSED MERGER OF HRQ WITH THE THROUGHBRED/GREYHOUND CONTROL BODIES**

You may be aware that there is a letter on the Greyhound and Thoroughbred websites advising that Harness Racing has decided to join in the merger of the three control bodies.

To clarify the situation, the HRQ Board and Class A members (the Clubs and BOTRA) have agreed in principle to join the merger but the Class A members have three issues that we are seeking to resolve, until these issues are resolved the matter is not finalized.

**R J Letts  
Chairman**

AVONDALE PARK MURRAY  
 Yulestar Street Albion  
 PARKLANDS RACING CENTRE GOLD COAST  
 Cnr Smith Street and Parklands Drive Southport  
 RED CLIFFS BIDEWAY  
 Gomersall Street Redcliffe  
 WARBURG SEVENHILLS  
 Queen Street Warburg  
 GLENVALE ROAD TOOWOOMBA  
 GLENVALE ROAD TOOWOOMBA  
 BRUCE HIGHWAY MARYBOROUGH  
 Bruce Highway Maryborough



"MAR-4"



Business Development & Marketing Association (BMDA)

*Prescribed 'Access' Technology 15/12/10*

Your Excellency The Honorable Catherine Cook, AC  
Governor of Queensland  
Government House  
400 Box 934  
Brisbane QLD 4001

Your Excellency

Queensland Racing Industry

Your letter of reply dated 20 March 2010 to Mr Jim Carlton was tabled today (13 May 2010) at a meeting of participants of all three Queensland racing codes.

The following motions were passed unanimously:

1. THAT the Governor delays consent to the amendments to the Racing Act 2002 until full and proper consultation has taken place with the stakeholders in the racing industry. THAT the voting result of this motion be brought to the Governor's immediate attention. THAT the Government immediately releases the proposed amendments to the Racing Act for proper consultation to take place.
2. THAT the attached letter to The Hon Peter Lawlor MP, Minister Responsible for Racing, be sent to Your Excellency and to inform Your Excellency that all attendees at the meeting signed a copy of same, all signed copies of which have been forwarded to the Minister.

Following the above motions, all industry participants desire your support in delaying the implementation of amendments to the Racing Act 2002 until such time as full and proper consultation with all sections of the racing industry has been undertaken.

Yours faithfully

Mr William Dixon  
Chairman of Tri-Code Industry Participants Meeting  
Signed on his behalf by Mrs Margaret Reynolds

The Secretary  
B.O.T.R.A.  
PO Box 669  
Brisbane QLD 4001

www.botra.org  
0312 570 884  
Brisbane QLD 4001

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*Handwritten initials and scribbles*



GOVERNMENT HOUSE  
QUEENSLAND

Copy

Mr Jim Carlton  
125 Andrew Road  
GREENBANK QLD 4124

Dear Mr Carlton,

Thank you for your letter to the Governor received on 22<sup>nd</sup> March, 2010 expressing your concerns over matters with the Queensland racing industry. The Governor has noted your concerns and asked that I reply on her behalf.

In addressing your concerns around the system by which the Governor will give assent to legislative matters, I must advise that any new legislation or changes that are proposed to existing legislation, including those covering the racing industry, are forwarded to the Governor through the Executive Council for Assent. The Governor is well briefed and advised by the Government and relevant Government Departments on all legislation before assent is given. The system of giving assent to legislation is robust and the Governor is well advised from all sources prior to Assent being granted.

Regarding the administrative level of implementing legislation, activities concerning incorporated associations are covered by the Associations Incorporation Act 1981 and are the province of the Department of Justice and Attorney-General to administer and interpret. Issues concerning the conduct of business within an Incorporated Association such as those raised in your correspondence are to be dealt with by the Association in the first instance and any appeals should be directed to the Department of Justice and Attorney-General, they are not matters for the Governor's consideration.

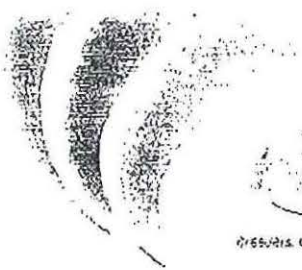
Thank you for writing to the Governor on this matter.

Yours sincerely,

**Mark Gower OAM**  
Official Secretary

29 March 2010

"MAR-S"



Queensland Owners, Trainers & Racehorse Owners Association (QOTRO)

Statewide Trainers & Owners Association (STOA)



2 July 2010

100 0000000000000000

Dear member

As you are aware, on 1 July the administration of the three racing codes was amalgamated and placed under the sole control of Racing Queensland Limited.

The amalgamation process commenced in December 2009 with no consultation with the three codes and was finalized with no business plan and no details of specific benefits to be derived by all or any of the codes.

When the proposal to amalgamate was announced the Management Committee of BOTRA immediately assessed the views of harness racing participants and it was evident that the industry was vehemently opposed to amalgamation. BOTRA, largely through the efforts and resources of Phil Mitchell, galvanized the Class A members (which are the Clubs and BOTRA) and fought a tireless but unfortunately unsuccessful battle to have the Government delay the process until proper consultation was undertaken.

Subsequently, Bill Dixon organized a meeting of the three codes resulting in further representations to the Governor and to the Racing Minister - but again the representations fell on deaf ears.

BOTRA exhausted all avenues to overturn, or at least delay, the amalgamation process but the reality is that it is with us today and now the industry must pull together to ensure, not only that we are not disadvantaged by amalgamation, but that we reap our share of any benefits which may be forthcoming. I recently had discussions with Paul Brennan, Director of Product Delivery with Racing Queensland, who assured me that, not only would his door always be open to BOTRA, but that the new Board of Racing Queensland is looking at ways to assist industry bodies such as BOTRA. He also assured me that the Product Development and Programming Advisory Group (PD&PAG) would continue its consultative role in relation to the harness racing product.

I understand that some BOTRA members question the effectiveness of the PD&PAG and, further, the extent of input that BOTRA has within the Group. Four members of the BOTRA Management Committee are members of the PD&PAG and invariably they account for a minimum of 50% of the industry representation. As to the effectiveness of the Group, let me assure you that industry representation has been instrumental in many of the beneficial outcomes for harness racing over the past few years and outcomes likely to be achieved in the near future. The PD&PAG has resisted calls by the Board to have the number of starters in mile races increased to .11 or .12, it has pressed for more Metro races on Saturday nights and there is a strong likelihood that shortly there will be seven Metro races every Saturday night. Recently the Group has argued vigorously against reducing the number of losses before the drop back rule applies from ten to eight or even six. Additionally the Group has argued vehemently against the manner in which wins by three year olds are assessed, such assessment discriminating against lesser credentialed three year olds. The decision on these latter two issues rests ultimately with HRA in consultation with all the States but suffice to say that without the PD&PAG the views of Queensland industry participants would go largely unheard.

With amalgamation now a fact of life it is essential that the industry has a united voice and that participant's use BOTRA as their conduit to Racing Queensland.

I urge you to renew your BOTRA membership and to encourage your owners and other industry participants to join to make BOTRA as "strong" and as "loud" as possible - **THE VOICE OF THE INDUSTRY!**

Best regards

David Lewis  
President

All correspondence to  
The Secretary  
B.O.T.R.A.  
PO Box 609  
Abbotsford QLD 4010

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www.botra.org.au  
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"MAR-6"



**KEEPING YOU INFORMED**

Dear Members and Stakeholders

Many people have been asking how we are progressing as an industry to get Bob Bentley and Racing Queensland to honour their commitments to harness racing.

Putting it very simply:-

**HARNESS ASSETS**

Both Bentley and Racing Queensland have been litigated against to make them honour promises made when we agreed to join the Tri Code Agreement.

They agreed to retain Albion Park as the long term home of harness racing and to give us 16% of whatever they received from the Government for the construction of a new state of the art stand where we could earn substantial income from sponsors and catering.

We had designed the new user friendly stand and applied to the Brisbane City Council for approval.

We say that, after we committed to the amalgamation, Bentley and Racing Queensland reneged on the commitment and came up with a Strategic Plan which instead involved moving harness racing to leasehold galloping tracks at Ipswich and Deagon.

He would not pursue recovery of our Initial investment in the Parklands complex which today would be worth in excess of \$40M.

The plan to sell Albion Park at \$100Million plus means they would be selling an asset of Harness Racing and Greyhounds to invest the funds into propping up galloping facilities.

Bentley and Racing Queensland, using industry funds, are fighting tooth and nail to try to shut the court case down without a trial. Why? We think it is because Bentley and others at Racing Queensland, and in the Government, fear the evidence that will come out about deception of Harness and Greyhounds.

For example, in evidence already put before the Court, it is clear that barely 4 days after we, believing the promises and agreements made by Bentley and Racing Queensland would be honoured, agreed to the merger, Bentley gave instructions to proceed with a consultancy that would find that Albion Park should be sold and Harness moved to Deagon.

We believe our case is right and just and we will continue to fight just as hard to have a trial and get Court orders to make Bentley and Racing Queensland do what they said they would.

**INTERCODE AGREEMENT**

Under the Intercode Agreement that the 3 codes entered into as part of the deal that was done for a 15 year Product & Programme Agreement, Harness Racing is to receive 14.5% of the amount received from the TAB.

Not only is this a legally binding Agreement, Bentley and Racing Queensland also represented to us that distributions under the Intercode Agreement would continue if we agreed to join a merger of the codes.

Bentley and Racing Queensland want to cancel the Agreement and walk away from their representations.

We say it is written in concrete and we want it honoured and have included claims in the current court case against Bentley and Racing Queensland to ensure it is.

**BREEDERS STAKES AND INCENTIVE SCHEME**

We are not convinced that the new QRIS Scheme is beneficial to Harness Racing. In fact, we can only see breeding declining as a result.

We are analysing the Scheme and preparing a document to show that our Breeders Scheme was far superior.

Hope this helps you to understand how Bentley and Racing Queensland are detrimentally affecting our industry.

We are working overtime with the Clubs to ensure we can get an outcome which will ensure your future. It hasn't been easy but nothing worthwhile achieving is simple or without cost and we need these strong and determined voices to ensure that we get an acceptable result for the industry.

BQTRA MANAGEMENT TEAM

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MW

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Margaret Reynolds

From: Raylene Dixon [DIXONHARNESS@bigpond.com]  
Sent: Wednesday, 17 November 2010 6:21 PM  
To: Margaret Reynolds  
Subject: Meeting with Minister for Tourism and Fair Trading 16 6 2010.docx

**Meeting with Minister for Tourism and Fair Trading**

Wednesday 16 June 2010

In response to numerous phone calls, and a lengthy telephone discussion, the Minister for Racing agreed to a meeting in his offices at 1 30 pm on Wednesday 16 June.

The Minister, Peter Lawler, was requested to consider harness racing industry participants many serious matters of concern with recent legislation passed by Parliament.

The Minister was presented with a written statement requesting he take corrective action on a number of matters.

His response was to state that under government legislation, passed in 2002, he had no power to intercede in any matters relating to the racing industry and therefore would not, and could not, take the actions requested.

He advised that all matters relating to the Industry must be handled by Queensland Racing, the body created by the 2002 legislation.

Under pressure of questioning the Minister did provide the following statements relating to the responsibilities of the newly combined (3 codes) racing body:

- o The industry is now one racing industry and not 3 individual codes.
- o Queensland Racing must act in the best interests of all (3 previous) racing codes.
- o From July 1 2010 Queensland Racing is not committed to retain the current distribution of funds. From that date the current distribution for harness racing (14.1%) will be gone.
- o All money goes into one pot for distribution by Queensland Racing for the best outcome for the total racing industry.
- o Queensland Racing must maintain the viability of all 3 codes.
- o Harness Racing must become more attractive as a betting medium.
- o The legislation protects all administrative jobs with salaries of less than \$100,000. People over \$100,000 are subject to review and negotiation.
- o All matters relating to harness racing must be handled by Queensland Racing.

The Minister left the meeting in a hurry to attend other matters of government.

Bill Dixon

17 6 2010

23/11/2010

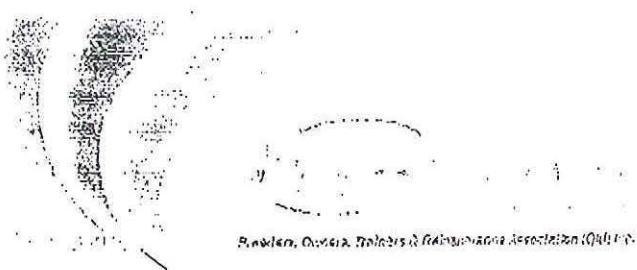
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"MAR 8"



Dear Mr. [Name]

I am writing to you regarding the [Topic]

We were promised that [Topic] would be [Topic] but [Topic] has not been [Topic]

We were promised there would be no change in the [Topic] but [Topic] has been [Topic]

Neither of these promises came to fulfillment.

We were promised we would be better off

Another commitment which has not even started.

We have had nothing but losses imposed on us.

- 1. Loss of Breeders Stakes
- 2. Reduction in Prize money for Nursery Stakes
- 3. Loss of Breeders Bonuses
- 4. Loss of Monday Racing Meetings
- 5. Proposed loss of Redcliffe Wednesday TAB Meetings
- 6. Loss of Briz31 TV programme.
- 7. Loss of Courier Mail column

And these are only a few of the many detrimental actions carried out by Racing Queensland.

The Labor Government should be protecting the interests of the working man or blue collar workers

The majority of our participants are regular hard working residents of our state.

We do in fact make up the major portion of our industry.

We don't want the business to become elitist.

We appeal to you to use your influence to support us and return our industry to our own control rather than being controlled by a Board mostly comprised of thoroughbred personnel under the control of Racing Queensland who are accountable to no one in this Government.

The current structure of the Board has no support in other States in Australia and is in fact the only unaccountable body controlling all three Codes in Australia.

We would prefer to not make this a major political issue, but if we are left with no alternative, then we will have to do so.

Are you prepared to assist us?

Yours sincerely

William Olson  
President

QTBBA  
The Star Inn  
B.O. Box  
PO Box 889  
Alderley QLD 4090

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"MAIL-9"



# Office of the Premier

Executive Building  
100 George Street Brisbane  
PO Box 15185 City East  
Queensland 4002 Australia  
Telephone +617 3224 6300  
Facsimile +617 3221 3631  
Email [ThePremier@premiers.qld.gov.au](mailto:ThePremier@premiers.qld.gov.au)  
Website [www.thepremier.qld.gov.au](http://www.thepremier.qld.gov.au)

For reply please quote: ECP/NL ~ TF/10/30568 - DOC/10/11209

31 JAN 2011

Mr Bill Dixon  
President  
Breeders, Owners, Trainers and  
Reinspersons Association (Qld) Inc  
PO Box 669  
ALBION QLD 4010

Dear Mr Dixon

Thank you for your letter of 17 December 2010 concerning the Racing Queensland Limited (RQL) Infrastructure plan for the racing industry. I have been requested to reply to you on the Premier's behalf.

RQL was established on 1 July 2010 to provide improved decision making for the racing industry as a whole, and the Queensland Government has no role in the day-to-day management or decision making of the industry. The Queensland Government's Racing Industry Capital Development Scheme provides in excess of \$80 million over the four years to 2013-14, to assist with revitalising the racing industry's aging infrastructure.

The Premier notes the results of the recent survey of Breeders, Owners, Trainers and Reinspersons Association members, including the support shown for retaining Albion Park as a harness racing venue. However, as Queensland Harness Racing, the former control body for harness racing in Queensland, has initiated legal action against RQL, it would be inappropriate for the Premier to comment further on any particular matters at this time.

Again, thank you for bringing this matter to the Premier's attention.

Yours sincerely

**Nick Williams**  
Senior Policy Advisor



**Queensland  
Government**

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26/07/2013

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