

Schedule 1 – Terms of Reference

Harness Racing New Zealand (HRNZ) Independent Review: Terms of Reference

1. Title

Independent Review into the HRNZ rules and regulations relating to heats and finals, their application to races in recent times and in particular their application to the IRT 2YO Young Guns Final Mobile Trot (Group 3) conducted as Race 3 at Alexandra Park on Saturday 10 May 2025 (the Race). [Note: the meeting was originally scheduled to be run on Friday 9 May 2025 but postponed due to weather.]

2. Background

The connections of horses who competed in the Race, and those who may have had horses for the Race as run, have raised serious questions regarding the eligibility criteria applied to final field selection, notably the inclusion of the winner being a horse that did not participate in either of the series heats.

The conditions for the Race were changed on or about Friday 25 April 2025 in the HRNZ Official Program, see below. The sentence highlighted in bold for the purposes of this Terms of Reference:

4. YOUNG GUNS TROT SERIES

Heats and Finals 1700m Mobiles. All Heats and Finals will have an open draw.

Please Note: That to nominate for the Final it is NOT a requirement to have run in a Heat but selection preference in the first instance will be given to those horses who have run in a Heat. First 5 placed runners from the Heats are guaranteed selection for the Final should they be nominated. Stake for Final \$50,000 Group 3.

The **HRNZ Regulations, Handicapping**, contain this provision:

4. Heats and Finals

- a) Races may be conducted in heats and a final and may include a consolation(s).
- b) Heats and Finals must be conducted in accordance with all other handicapping regulations.
- c) Conditions for all heats and finals may vary and approval of such shall be at the discretion of the Handicapper.

- d) The published conditions of the series of Heats and Finals must state exactly how the finals shall be selected from those horses competing in the heats.

There is a clause in the regulations, **General Conditions of Programmes**, that says:

7. Programme Changes

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- (e) Make any other alterations and amendments that may be deemed necessary.

Specific concerns have been raised about:

- whether the HRNZ rules and regulations are fit or purpose for race series;
- whether the conditions for the final could be changed;
- the fairness, transparency and communication of the change;
- the clarity and application of the published race conditions; and
- the procedural soundness of the selection process for this race and heats and finals more generally.

3. Purpose

The purpose of the review is threefold:

1. Considering the HRNZ Rules and Regulations, when a race is part of a set of heats and a consequential final in what circumstances can the series conditions be changed, if at all, after the first publication of the terms and conditions for the series.
2. Review the circumstances leading to the changing of the conditions of the 2YO Young Guns Final Mobile Trot, how the change was handled subsequently and whether HRNZ and/or the Auckland Trotting Club (ATC) acted within the framework of the stated of rules and regulations for heats and finals, and the programmed conditions with due regard for process integrity, stakeholder communication, and precedent.

Arising out of the first two enquiries the review will make recommendations to HRNZ to put into place rules, regulations and procedures to enhance its policies and operations.

Note: the **New Zealand Rules of Harness Racing** and **Regulations** can be viewed and downloaded from <https://www.hrnz.co.nz/official-information/official-documents/rules-regulations-constitution/>

4. Objectives

1. Review the HRNZ regulatory framework for heats and finals and provide commentary if they are fit for purpose based on the purpose of conducting heats

and final race series. The potential for ambiguity over the use of discretionary powers to alter race conditions within the HRNZ Regulations.

2. Examine the published conditions for the Race and the series of which it was the final against the HRNZ regulatory framework.
3. Establish how, when and why the conditions to enter the final (i.e. the Race) were changed.
4. How were the conditions communicated to stakeholders, and when?
5. Assess HRNZ/ATC's application of discretionary powers, if any, under those conditions.
6. Investigate whether the nomination, acceptance, and selection process adhered to all regulatory requirements and the state programmed conditions for the heats and the Race.
7. Consider the impact on industry confidence and perceived fairness.
8. Review any other incidental or unforeseen matter that arises which is incidental to this review, or with the approval of the HRNZ CEO address any other significant matter.
9. Recommend policy, regulatory, communication, or governance improvements for future comparable feature races. The recommendations will address the two purposes plus:
 - a. Confirm whether any breach or misinterpretation of HRNZ's rules and regulations occurred.
 - b. Any changes to rules, regulations and conditions for heats and final races
 - c. Any required amendments to race condition templates.
 - d. Outline improvements for nomination and selection communication.
 - e. Provide a framework for communication significant changes of race conditions to participants.
 - f. Address the need for oversight mechanisms when significant changes to race Prouting are made.

5. Scope

In Scope

1. HRNZ Rules and Regulations.
2. Any recent (last three years) equivalent club or HRNZ practice that changed conditions for a heats and final set of races.

3. The conditions for the IRT 2YO Young Guns Series and Final as published by HRNZ and the ATC and as approved by HRNZ.
4. The nomination and acceptance process for the Race.
5. The selection methodology and rationale used by HRNZ/ATC officials.
6. Public communications from ATC/HRNZ regarding field selection and race structure.
7. Stakeholder (trainers, owners, officials) concerns submitted up to three weeks post-race.

Out of Scope

8. Judicial decisions relating to on-track matters (e.g. race interference or protest outcomes).
9. Historical race conditions from unrelated racing series.

6. Methodology

1. Document review: HRNZ Rules and Regulations, Victorian, New South Wales and Queensland harness regulations for series racing, all relevant race programs, conditions, internal emails, and nomination records.
2. Stakeholder interviews: including HRNZ, ATC officials, and trainers and owners with horses in the Race or who may have competed in the Race.
3. Public submissions: A seven-day window will be opened for formal stakeholder input but with no interviews as of right other than connections from the Race.
4. Comparative analysis: Evaluation of similar group race frameworks for consistency.

7. Governance and Reporting

1. Three-person independent panel appointed by HRNZ reporting directly to the CEO consisting of:
 - a. A lead person with legal experience appointed by the CEO of HRNZ.
 - b. A person with experience in good governance and exposure to a business in an area with significant regulatory frameworks, with knowledge of racing an advantage.
 - c. A respected harness racing participant with a wide knowledge of harness racing and credibility with participants.
2. Secretariat and Advisory Support: as required by HRNZ management, legal adviser, Racing Bureau, and external integrity consultants.



3. Reporting Format: A concise final report of no more than 15 pages, plus annexes, with an Executive Summary, findings, conclusions, and actionable recommendations.
4. Timeline:
 - Commencement: 25 May 2025 or as agreed with the CEO HRNZ
 - Preliminary Findings and Draft Report: 20 June 2025
 - Final Report: 4 July 2025.

8. Confidentiality and Conduct

The panel will:

1. Maintain strict confidentiality regarding review materials.
2. Declare any conflicts of interest prior to involvement.
3. Ensure the review is conducted with fairness, impartiality, and objectivity.
4. No make any public comment on the review other than through the HRNZ CEO.