

DÁIL ÉIREANN

AN COMHCHOISTE UM THALMHAÍOCHT, BIA AGUS MUIR

JOINT COMMITTEE ON AGRICULTURE, FOOD AND THE MARINE

Dé Máirt, 13 Iúil 2021

Tuesday, 13 July 2021

Tháinig an Comhchoiste le chéile ag 3.30 p.m.

The Joint Committee met at 3.30 p.m.

Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	Seanadóirí / Senators
Martin Browne,	Lynn Boylan,
Matt Carthy,	Paul Daly,
Michael Collins,	Tim Lombard,
Michael Fitzmaurice,	Rónán Mullen.*
Joe Flaherty,	
Paul Kehoe,	
Michael Ring.	

* In éagmais / In the absence of Senator Victor Boyhan.

Teachta / Deputy Jackie Cahill sa Chathaoir / in the Chair.

Alleged Issues in the Horse Racing Industry: Discussion (Resumed)

Chairman: No apologies have been received. Senator Mullen is substituting for Senator Boyhan.

Before we begin, I remind members that, in the context of the current Covid-19 restrictions, only the Chairman and staff are present in the committee room. All members must join remotely from elsewhere in the parliamentary precincts. The secretariat can issue invitations to join the meeting on MS Teams. Members may not participate in the meeting from outside of the parliamentary precincts. I ask members to please mute their microphone when not making a contribution and to please use the raise hand function to indicate. Please note that messages sent to the meeting chat are visible to all participants. Speaking slots are prioritised for members of the committee.

The first session is engagement with Irish Racehorse Trainers Association, IRTA. The topic for today's meeting is alleged issues in the horse racing industry with representatives of the IRTA, followed by representatives of Horse Racing Ireland, HRI, and the Irish Horseracing Regulatory Board, IHRB. I acknowledge once more that this series of meetings was called on foot of recent allegations made in the media. In order to give all parties a fair hearing, the person who made those statements was invited to appear before the joint committee, but has chosen to decline the invitation. Although such an engagement would have been beneficial to our discussion on what is an important issue for a significant Irish industry it is their right not to participate and they are not answerable to the committee. It must be said that we are not a committee of inquiry, so we are not here to judge the veracity of statements made or explore any allegations or wrongdoing against any person. Our only objective is to establish what systems and processes are in place to see if they are up to international standards and to discuss any policy issues arising. I remind witnesses and members I will not allow criticism of anyone and in particular anyone who is not here to defend themselves. I also remind them of the parliamentary practice that they should not criticise or make charges against any person or entity by name or in such a way as to make him, her or it identifiable.

From the IRTA I welcome Mr. Michael Halford, chairperson, and Mr. Michael Grassick, chief executive officer. Both are joining us remotely. We have received their opening statement and it has already been circulated to members. All opening statements are published on the Oireachtas website and are publicly available. The IRTA representatives have ten minutes to make an opening statement before we move to questions and answers.

Before we begin, I must give an important notice regarding parliamentary privilege. Witnesses are protected by absolute privilege in respect of their evidence to the committee. However, if they are directed by the committee to cease giving evidence relating to a particular matter and they continue to do so, they are entitled thereafter only to a qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given and they are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise nor make charges against any person, persons or entity by name or in such a way as to make him, her or it identifiable. Participants in the committee meeting who are in locations outside the parliamentary precincts are asked to note that the constitutional protections afforded to those participating from within the parliamentary precincts do not extend to them. No clear guidance can be given on whether or the extent to which participation is covered by the absolute privilege of a statutory nature.

I invite Mr. Halford to make his opening statement on behalf of the IRTA.

Mr. Michael Halford: Good afternoon everyone. I will read out our statement. On behalf of the Irish Racehorse Trainers Association I thank the members of the Oireachtas joint committee for their invitation to express the views of our association and to represent our members in relation to equine anti-doping in Irish racing.

The Irish Racehorse Trainers Association, founded in 1950, is the official representative body of Irish racehorse trainers and is an inclusive, all-Ireland, 32-county association. Our headquarters are located at the Racing Academy and Centre of Education in Kildare. The association has played a major role in the progress of Irish racing since its inception and has set up excellent communication procedures with all concerned in the administration and running of the Irish racing industry.

In my position as Chairman of the IRTA I can honestly say that apart from well-publicised recent claims imparted from one trainer I have never received any reports on doping in Irish racing. I am disappointed and upset that the good name and reputation of Irish horse racing and its world-renowned trainers is being maligned in this way. In Ireland we are world leaders in our sport and this is something that we are proud of. Many Irish trainers have competed at the highest level all around the world and as such have their horses regularly and routinely tested. These tests take place both pre-race and post-race in all the leading racing jurisdictions. All tests have proved negative to all banned substances. This is a record all Irish trainers are very proud of.

Over the last few years the IHRB veterinary team has been strengthened considerably with the appointment of Dr. Lynn Hillyer as head of anti-doping. On race days when horses arrive at the racetrack they are met by the IHRB veterinary team. Horses are then inspected and identified by their passports and microchip number. After each race the winner is subjected to a blood or urine sample and on some occasions a hair sample is taken. Horses that run poorly are also subject to sampling. The results of these tests are generally known within 14 days. If there are any adverse findings the trainer is notified and an investigation by the IHRB follows. The IHRB now has the status of authorised officers from the Department of Agriculture, Food and the Marine which means all horses of all ages can be tested on stud farms, point-to-point meetings, pre-training yards, schooling days at racecourses and also sales complexes. At these premises blood and urine samples are taken along with hair samples which can detect the presence of steroids in all stock from a very young age. All training yards are also subject to random unannounced inspections, where blood, urine and hair samples can be taken. Never has the anti-doping system led to such frequent and thorough testing, yet nothing untoward has been found to suggest that racehorses are receiving anything except all that is permitted and necessary for the welfare and well-being of the horse.

We firmly welcome the considerable improvements and modernisations of the anti-doping system. It is often forgotten that trainers are breeders and owners of horses too, and a huge number of horses-in-training are traded from Ireland all over the world. The good reputation of Irish racing is a key component in this trade. For many trainers this trading element of their business is the difference between a successful year in which they can find the investment to improve their premises and increase the amount of people they employ, or not. Thus it is in the best interests of Irish trainers that there is an anti-doping system that is modern and thorough.

The integrity of the Irish horse racing industry depends on a vigilant and transparent regulatory body to maintain and secure into the future our world-renowned reputation. If there is any doping in horse racing then we at the IRTA would utterly condemn such practices and back any

measures taken to combat it.

Chairman: I thank Mr. Halford. We will now begin with members' questions. To clarify matters, we had a difference of opinion at the last committee meeting and the secretariat has made it clear to me that when a member is substituted, he or she has, on the day, exactly the same rights as a full member of the committee. We have had this in debates on fisheries where a number of members have been substituted so just to make it clear, once a person is substituted and I, as Chairman, am notified before the start of the meeting he or she is treated as a full member for that particular meeting.

I have five members indicating to speak and I will take them in the order they appear to me on the screen. I call Senator Mullen. He appears to be on mute. We cannot hear him. I will move to the next member and come back to him after that to see if the issue has been resolved. I call Deputy Martin Browne.

Deputy Martin Browne: I welcome the guests. I appreciate what the guests have been saying and that everything is being done now. In the papers recently we read about allegations from a number of years ago that anonymous letters from stable staff to the Irish Horseracing Regulatory Authority, IHRB - formerly the Turf Club - alleging concerns about the use of prohibited substances were left unaddressed. What has the trainers' association to say about it?

I have three questions that I will put to the witnesses. I must go away in a few moments to speak in the House and hopefully I will get the answers before I go.

Has the Irish Racehorse Trainers Association ever been approached with concerns about practices at stables and what would be the association's procedure on that? Does Mr. Halford have any figures on those approaches, when they occurred and the details on what was done?

Are the association members confident in the IHRB given that board is made up of three people from the former Turf Club and three people from the Irish National Hunt Steeplechase Committee?

Mr. Michael Halford: Nobody has voiced any concerns with me personally on allegations of doping. Mr. Grassick has been our CEO and has been for the past ten years. He might be in a better position to answer some of the questions on anything that might come into our office.

Mr. Michael Grassick: I must just let the committee know that in my previous life before I took over the position of CEO of the Irish Racehorse Trainers Association I was a trainer for 35 years. Never in my time as a trainer or as CEO of the trainers' association has anyone ever approached me or given information that illegal substances were being used on horses in training. Never.

Chairman: Okay. That is very clear.

Deputy Martin Browne: Were there any allegations before Mr. Grassick's time or were they followed up?

Mr. Michael Grassick: To be honest with the Deputy, no. As I said earlier, I was a trainer for 35 years with a clean record. Mr. Halford also has a clean record. I have never been approached or given that sort of information. I would presume that normally such information would go to the IHRB, which in its previous life was the Turf Club. They are the regulators and it is they who would receive that kind of information. I have not been told that personally.

Deputy Martin Browne: Are the members of the Irish Racehorse Trainers Association confident in the independence of the IHRB?

Mr. Michael Halford: I believe they are yes. There are some 350 licensed trainers who hold a trainer's licence, and only eight of those trainers are not a member of the trainers' association.

Deputy Martin Browne: If concerns are raised, what procedures does the trainers association have in place for reporting that and what procedures would the association follow?

Mr. Michael Grassick: I have not received it before but if I was to receive such information it would be passed on to Mr. Denis Egan or to Dr. Lynn Hillyer in IHRB. If we did have information that is where it would go, but I have not received any information.

Chairman: We will try Senator Mullen again to see if he has sound.

Senator Rónán Mullen: Let us hope so. Can the Cathaoirleach hear me?

Chairman: Yes.

Senator Rónán Mullen: That is great. I thank Mr. Halford and Mr. Grassick for coming before the committee. Mr. Halford said that he had never received any report of doping in Irish racing. Does he mean that he has never heard anything anecdotally or otherwise, or does he mean that he has never had a case proven to him? What exactly does Mr. Halford mean by that statement? It seems to be at strong variance with what a lot of us politicians have been hearing, and not just in recent times.

Mr. Michael Grassick: Years ago, I believe it was in 2012, there was a well-known case where a certain amount of drugs were brought into the State. People ask where all those drugs went. I have no idea where those drugs went. Some trainers were in trouble over that but apart from this I have no other information. Those cases have been well publicised previously.

Senator Rónán Mullen: It is one thing for the cases to be publicised, but it is another thing for Mr. Grassick to say that he has received no report of doping. Am I right in thinking that the 250 kg of Nitrotrain, which I believe is the well publicised case to which Mr. Grassick refers, would amount to about 60,000 doses?

Mr. Michael Grassick: That is right.

Senator Rónán Mullen: Was it not suggested that this might be about 20% of the overall figure, or that people had reason to think that at the time?

Mr. Michael Grassick: It was suggested, but nobody ever knows where that went.

Senator Rónán Mullen: Would it concern Mr. Grassick that nobody seems to know where that went? It hardly went down a bog hole.

Mr. Michael Grassick: I could not answer that. I have no idea where the Nitrotrain went. No idea.

Senator Rónán Mullen: I get that, but given what we already know about such substances being in the State in such large quantities, is Mr. Grassick saying that he believes there is no problem of doping in Irish racing?

Mr. Michael Grassick: No, I honestly do not-----

Senator Rónán Mullen: Is he saying that he does not know one way or the other?

Chairman: Let Mr. Grassick answer the question.

Mr. Michael Grassick: I would be naive to think that nothing ever takes place. Personally, I am not aware of anything and nothing has been brought to my attention.

Senator Rónán Mullen: Mr. Grassick spoke about the importance of good reputation. I wonder does the desire for a good reputation for the industry, which we all want it to have, and perhaps the fear that this is also going on in other jurisdictions, could this cause people to want to look the other way unless it is absolutely staring them in the face?

Mr. Michael Grassick: As I said earlier, any such information would go before IHRB. It is up to them to investigate if they feel there is something in Irish racing. The committee will be aware of the amount of testing that goes on pre-race and post-race. If there is anything untoward, it is found.

Senator Rónán Mullen: How does Mr. Grassick know that?

Mr. Michael Grassick: At the moment there are a few cases in the pipeline with regard to drugs that are usually known as being able to be used for training purpose but are not allowed to be used on race days, but those cases have to come forward. In this way we know the IHRB is testing and finding substances that should not be found on race days.

Senator Rónán Mullen: Mr. Grassick has said that never has the anti-doping system seen such frequent and thorough testing. In Mr. Grassick's view, when did this start being so frequent and thorough?

Mr. Michael Grassick: In the last couple of months, yes.

Senator Rónán Mullen: Well exactly. This is what this committee put to the IHRB when it was before the committee recently. Mr. Grassick expressed his disappointment at the allegations being made, and I have asked the question of more than just him. Is it possible that more high-profile people with a very good reputation in the sport, and who are making these startling claims, have alerted the IHRB to the fact that it maybe needs to clean up its act? Is that a possible reading of the situation?

Mr. Michael Grassick: One can look at that in many different ways. One hears rumours. I cannot act on rumours. I can only act on facts and any information that is given to me. As I said earlier, if I had received any of that sort of information it would go to the IHRB and it is up to them as a regulatory body to investigate.

Senator Rónán Mullen: Has Mr. Grassick ever done any survey of the member trainers to see what are the views of the trainers' association on the question of whether doping issues are affecting the outcomes of races in Irish racing?

Mr. Michael Grassick: No, I have not.

Senator Rónán Mullen: Would he consider doing that? It might give the association a strong instinct around the issue.

Mr. Michael Grassick: I would just go back to what I said earlier. I have done previous

surveys and the response to surveys can offer very little information. Maybe it is something that could be done in the future, but it has never been brought to my attention as something I should do.

Senator Rónán Mullen: What does Mr. Grassick think of the fact that not one of the directors of the IHRB is appointed by the State? This is a closed-shop organisation and a self-selecting club that is appointing directors of a regulatory organisation that is responsible for something as sensitive as anti-doping. It is getting almost €10 million of taxpayer's money. In fact, the bulk of its funding comes from the taxpayer. Mr Grassick is a stakeholder. His organisation is a stakeholder. There are examples abroad of the principle that if you are involved in regulation of something, you would not have any hand, act or part in owning, breeding or buying and selling horses because even the appearance that you could be involved in the organisation responsible for anti-doping would be all wrong. Does Mr. Grassick not have a problem with the fact that there is not an independent director or chair or that this is a self-selecting organisation from within the horse racing family that has responsibility for an issue as sensitive as doping? Is that not of concern to him?

Mr. Michael Grassick: As such, no. We have inherited the system and the bodies that are responsible for racing, which was the Turf Club before the IHRB. Now we have HRI. We have one seat on the HRI board. Michael Halford will probably let the Senator know whether there are 16 or 17 members. If there are issues, we go to either of those boards to raise our concerns, no matter what those concerns are.

Senator Rónán Mullen: I am talking about the IHRB, which has no outsiders or taxpayers' representatives on it.

Mr. Michael Grassick: I have no control over the IHRB.

Senator Rónán Mullen: I am asking Mr. Grassick if he has a view, as a stakeholder in the industry, as to whether there is something that smells about that.

Mr. Michael Grassick: I would not like to say.

Senator Rónán Mullen: Does Mr. Halford share Mr. Grassick's view that there is nothing to see here and move on? It is surely quite irregular that you would have such a structure whereby there is no taxpayer representative, no independent chair and the organisation gets €10 million from the taxpayer but is not accountable to the taxpayer for how that money is spent.

Mr. Michael Grassick: Mr. Halford might answer that as he is our representative on the HRI board. He would have a better understanding of how it operates.

Mr. Michael Halford: I would not have any concerns. Prior to the IHRB, the Turf Club worked away for as long as I ever had a licence, and a lot longer than that, and was never been found wanting in any way. All of this was thrashed out the other day. We, as traders, see it as the regulatory board for us and we trust it. We have perfect trust in the IHRB. We do not have any reason to doubt it.

Senator Rónán Mullen: Does Mr. Halford have any opinion on the possible motivation of those who have made such startling claims as have been made, particularly in view of the fact that the people who have been making those claims have reputations which could only be described as unbesmirched?

Mr. Michael Halford: The people making the claims are in a minority.

Senator Rónán Mullen: Sometimes it takes bravery to blow a whistle, does it not?

Mr. Michael Halford: It does, but they have only blown a whistle. They have not stood up.

Senator Rónán Mullen: Does Mr. Halford think their claims are without foundation whatsoever?

Chairman: Wait now, Senator Mullen. The comments were made in the media. That is fine. I will not ask Mr. Halford to answer that question. That is not a fair question for him.

Senator Rónán Mullen: Can I ask one final question? What do the witnesses interpret as having gone on in the zilpaterol case, in which a number of Irish horses were stood down from racing in France after the finding of an anabolic steroid in certain feed? What do the witnesses think was going on there?

Mr. Michael Grassick: It was proved that it was contaminated feed. That was the conclusion made there and nobody contradicted it. Molasses was the product involved.

Senator Rónán Mullen: Why would feed be contaminated?

Mr. Michael Grassick: In the process. We had poppy seeds previously. Years ago, there was a morphine case and it was a poppy seed in the oats that ended up in the feed. The testing is so vigilant nowadays that any little contaminant can get into the food chain in the process. Nowadays, it is mostly concentrated nuts. Like dog feed, it is the same with horses. If a contaminant gets in there, it is more than likely only found when the horse races or wins and is subject to testing. Nowadays, testing is so minute that what they can find is incredible.

Senator Rónán Mullen: Is Mr. Garrick suggesting the contaminant got into the feed by accident and it was never intended for any performance-enhancement purposes?

Mr. Michael Grassick: No. I do not know how you would come to that conclusion.

Senator Rónán Mullen: I am only asking why a contaminant like that get into feed or into an additive.

Mr. Michael Grassick: I have no idea. I do not know how. How does anybody know or prove how a contaminant gets into feed? As far as I know, the contaminant was in the molasses that got into the feed.

Senator Rónán Mullen: Are you satisfied it was fully and thoroughly investigated by the relevant authorities?

Mr. Michael Grassick: I am. Yes. Of course.

Senator Rónán Mullen: Who were those relevant authorities?

Mr. Michael Grassick: They even tested in France and they tested in Newmarket as well.

Senator Rónán Mullen: No, that was to find the evidence of it being in the horse's system. Is that not correct? What about how the contaminant got into the feed?

Mr. Michael Grassick: God, I do not know. You would have to ask the feed company how it might have got in. I do not have that information.

Senator Paul Daly: I welcome Mr. Halford and Mr. Grassick. I put my own interest in the game on the record the last time. Nothing has changed since then. I am also conscious of and I got a little bit of commentary on over-running in my questioning and taking up too much time the last day. That may be down to the fact I am passionate about the industry and the business. I apologise and I will be more brief today in the interest of my colleagues getting more time.

The witnesses are the trainers' association. They are the custodians. They are at the coal-face and are representatives of a group of people who have invested in this business, whose-----

(Interruptions).

Senator Paul Daly: -----are at stake and at whom, unfortunately, the finger is being roundly pointed at. As the witnesses said, accusations are being made but proof is not being offered. At the same time, the witnesses are still suffering.

I opened my remarks the last day with the IHRB and the HRI. When you are in a public position or in any way involved in the public domain, the mantra of being innocent until proven guilty goes out the window. Once an accusation is made, you are seen as guilty in public opinion and you have to prove your innocence. Unfortunately, that is the world we live in these days. The accusations have been made.

There is a big issue here. I am not detracting from the so-called whistleblowers or from what people are saying, but they are not really backing it up. The IHRB, HRI and the witnesses have backed up today and told us about all the testing they have done. It is still not getting the answers. The thing is still not going away. What do the witnesses propose could be or might be done differently? There is considerable dúirt bean liom go ndúirt bean léi stuff going on here.

It is time to stop slinging the mud and start coming up with solutions, in the interest of a world leading industry we are lucky enough to have here; in the interest of the witnesses' careers and investments, we need to start looking at solutions that will be accepted by the public. What do the witnesses suggest? Let it be in conjunction with the IHRB, HRI and all stakeholders within the industry. Where do we need to go and what do we need to do to prove the position to the people and restore confidence in those involved in this business?

I would like to hear from trainers on a question I have. There are many legal medicines and drugs for horses that are injured or sick. The witnesses are probably using them on a daily basis and have vets in their yards. I would like to hear briefly from the witnesses about how they manage that within their yards and stay on the right side of the line at all times. The main thrust of what I would like to hear from them is what they would like to see happen to get back the industry's good name, which at the moment is wrongly damaged but damaged all the same.

Mr. Michael Grassick: Some damage has been done to our reputation but it is misguided. The only way we can work this out is with the co-operation of the IHRB. This is just rumours and innuendo, and if people keep repeating it, there is not much we can do. We work with HRI and the IHRB. As I said, more testing has been done in the past couple of months than has ever been done. I do not know what else we can do to prove what is or is not going on. Medication takes place daily at yards. There is a medical register for all drugs that are used. When I say "drugs", I mean medication. There are two words. The minute the word "drugs" is used, it is considered a bad word, whereas in fact the drugs are medication these horses are on for their training. Before they can race, those drugs must have left their systems, which can take some time. If the drugs are found in the horse's system when it wins a race, it is disqualified. It is

as simple as that. Sometimes there is a delay in the drug going out of the horse's system. As I said, there are a couple of cases coming along. From what I can gather, they are all instances in which the drug had not left the horse's system when he raced. Different drugs take different amounts of time to leave the system. There is a drug that is not so much a drug but rather an injection for the joints. When horses get older, they suffer from wear and tear. Sometimes that drug does not leave the joints. It might have a ten-day timeframe for leaving the system. I know of cases in which horses were given a ten-day timeframe but that drug was still found in the horse months later, and that was with testing by the IHRB monthly until that horse's system was cleared. I do not know what more the trainers can do. The IHRB is doing as much as is humanly possible. We cannot control rumours.

I think Mr. Halford was going to say something.

Mr. Michael Halford: I welcome the Senator's questions. For the people who do not understand, as trainers we have a duty of care to these horses and their well-being. If we have a horse that is lame, our first thing to do is to get the vet. When we get the vet, he or she comes out and assesses the horse. If the horse needs medication or whatever else, the horse is treated by the vet, not by us. We have a medical register for the vets in our office. They fill in exactly what the horse got, when it got it, the amounts it got and the withdrawal time the drug should take to leave the horse's system so it will be clear to run. I have a board in front of me in the office and all horses that are on any medication are written on the board along with the withdrawal days. We have a list of what the withdrawal days should be. As Mr. Grassick said, it may not be 100% perfect in that sometimes something could stay in a horse's system a little longer. In that case I always give a horse longer than is recommended. That is the way it works. Likewise, any drugs or whatever we may have in the yard or anything we need to treat the horses with is all prescription now. We get prescriptions with the horse's name, the dosage and the number of days on them. They are all kept in a file, so when or if the IHRB decides to carry out an inspection in our yard, it will come to the office. The first thing we do with every horse when we get its passport is we take it out of the food chain. We sign it off to say it is not eligible for the food chain. Then there is a medical record for every horse. As I said, the prescriptions are all kept and the medicine is all kept under lock and key. We have one guy, a qualified chemist from Croatia, who is in charge of the medicines. Every morning he goes to his locker, which is under lock and key, and deals with all the horses, so there is no confusion about whose responsibility it is. There is one guy dedicated to this, and a record of everything is strictly kept in the office. Being trainers, we signed up for this with the IHRB, which has access to our yard 24-7. Its staff can call whenever they wish, look for all this stuff and cross-reference it back to the vets. It is all above board and all there to be seen.

Deputy Paul Kehoe: I welcome the guests. I will start with Mr. Grassick if he does not mind. Was he surprised by the recent statements of a leading horse trainer? Subsequently some of his statements were supported by another horse trainer.

Mr. Michael Grassick: Yes, I was surprised.

Deputy Paul Kehoe: Has Mr. Grassick made contact with that leading horse trainer?

Mr. Michael Grassick: Yes, I have, if I am allowed to say that.

Deputy Paul Kehoe: As recently as he made his statements?

Mr. Michael Grassick: I spoke to him a couple of months ago, when this first came up.

Since 19 March, he is no longer a member of the trainers' association, but I spoke to him for a long time. He had no names of any trainers involved or the names of any drugs. He had no additional information he could give me.

Deputy Paul Kehoe: Regarding the recent articles by Mr. Kimmage, Mr. Grassick has been defiant in his statements in saying "nothing to see here" and "move on". Would he rubbish Mr. Kimmage's articles?

Mr. Michael Grassick: I do not know who was talking to Mr. Kimmage. The Deputy would have to direct those questions to him.

Deputy Paul Kehoe: I understand, but I am asking Mr. Grassick whether he would personally, as head of the trainers' association, rubbish Mr. Kimmage's articles.

Mr. Michael Grassick: I am disappointed by them, to be honest with the Deputy.

Deputy Paul Kehoe: There is a big difference between being disappointed and rubbing them.

Mr. Michael Grassick: As I said earlier to the other members, I have no information about these horses getting these drugs and so on.

Deputy Paul Kehoe: What Mr. Grassick is saying to me, indirectly, is that he would rubbish his statements.

Chairman: In fairness, Mr. Grassick has answered the question. He said he has no information on the matter. I think that answer is sufficient.

Deputy Paul Kehoe: Has a prohibitive substance ever been discovered in horse feed supplied to any of the trainers Mr. Grassick has known in recent times?

Mr. Michael Grassick: No, I think the latest case was the one with the contaminants in the feed.

Deputy Paul Kehoe: I am sure there is a huge supply to Mr. Grassick and his organisation. Like Senator Daly said, we want to make sure that the high standards of this industry remain. What kind of research did the IRTA do when it discovered that prohibitive substances were discovered in horse feed?

Mr. Michael Grassick: We were in contact with the feed company. There are two main feed companies in Ireland, as the Deputy is probably well aware, and they were very upset about what happened. They did an investigation themselves, and that is all I can say about it. They were satisfied they knew where the contaminant came from and they eradicated it once they knew what they were looking for.

Deputy Paul Kehoe: What is Mr. Grassick's attitude to pre-race testing?

Mr. Michael Grassick: I am in favour of it. I will give the Deputy a little background to that. Pre-race testing started in other jurisdictions and then a number of high-profile Irish horses a couple of years ago went to race in the UK and were subject to pre-race testing. Only one or two horses in each race were pre-race tested. Some of those horses got upset because the test involves the taking of blood. A lot of horses are highly strung animals. I had complaints from the trainers involved that their horses ran poorly afterwards because the horses got upset

before the race. When Dr. Hillyer was introducing this in Ireland, we met her on several occasions and eventually came to an agreement. What we sought was that if the IHRB decides to carry out a pre-race test for a particular race, all the horses in the race would be tested. That is a fairer situation because all the horses in the race would be treated the same. That was agreed in November 2019. Pre-race testing has not yet taken place but I have been told it will take place in the coming weeks.

Deputy Paul Kehoe: Does the IRTA have zero tolerance towards prohibited drugs? Does it believe that the licence of a horse trainer should be removed forever if the trainer is caught with prohibited drugs? Is that necessary if we are to have very high standards in Irish horse racing? What are the views of Mr. Grassick on zero tolerance?

Mr. Michael Grassick: We have zero tolerance. The IRTA supports zero tolerance. We all want to operate on a level playing field. We do not want some trainers to have an advantage over others. The IHRB takes a poor view of anybody using illegal substances and trainers have lost their licences as a result.

Deputy Paul Kehoe: What is the view of the IRTA on the role of CCTV at race tracks and their environs?

Mr. Michael Grassick: We welcome such CCTV but it was supposed to be installed a couple of years ago and that still has not happened. One or two tracks have such systems.

Deputy Paul Kehoe: Is the IHRB fit for purpose, given that CCTV systems are not in place? I acknowledge that Mr. Grassick is not a member of the IHRB but I am interested in his views on the matter because my understanding is that funding was made available for CCTV but it still has not been installed.

Mr. Michael Grassick: I and the IRTA are disappointed that the CCTV systems have not been installed by now.

Deputy Paul Kehoe: Should the IHRB have put the CCTV in place?

Mr. Michael Grassick: It should be in place, yes.

Deputy Paul Kehoe: To follow on from the points made by Senator Mullen, I know the IRTA has a representative on the IHRB but does Mr. Grassick consider the IHRB to be a closed shop? It receives more than €10 million of taxpayers' money but has no accountability and nobody knows what salaries are being paid to its employees. Does he think that is right?

Mr. Michael Grassick: There could be more accountability. However, it is more an issue for HRI and the Government bodies that give money to HRI which it, in turn, gives to the IHRB. It is not the place of the IRTA to be involved in that. I am sure that if HRI is happy with what is going on, then I and the IRTA will be happy, as, I am sure, will the chairman of the IRTA, who sits on the board of HRI.

Deputy Paul Kehoe: I wish to put on record that I am fully supportive of the industry. One of the reasons I sent the original correspondence to the committee was that when I saw all of this in the public domain, I knew there was only way to resolve it and that was to bring in representatives of all those involved in the industry to defend their position. I have always supported the horse and greyhound industry and the funding it receives. I would love to see more funding going to the horse racing industry because it has a fine reputation. However, that reputation is

diminishing, as others have noted. How does one put the genie back into the bottle? I do not know what the answer is. Does Mr. Grassick have any suggestions in that regard?

Mr. Michael Grassick: How does one combat rumours? I do not have an answer for the Deputy. The newspapers have a responsibility to report facts rather than rumours.

Deputy Paul Kehoe: What percentage of registered trainers are not members of the IRTA?

Mr. Michael Grassick: As I stated earlier, there are eight trainers outside our association. We have approximately 350 members. They renew their licences on 1 April. Some trainers do not register on 1 April; they may come in later in the year. There are approximately 350 trainers in our association and there are only eight trainers who are not members.

Chairman: For the information of Deputy Kehoe, the IHRB clarified at the previous meeting that its figures are subject to audit. I know the point the Deputy was making regarding the composition of the board but although between €9 million and €10 million is spent by the IHRB, that money is audited.

Deputy Matt Carthy: I thank our guests for being here. As regards the IHRB, and extrapolating from what Mr. Grassick has told the committee, am I correct that he is satisfied that the structures and practices of the IHRB and its engagements with members of his association are up to the standard he would wish for?

Mr. Michael Grassick: I think so, yes. We do not agree on everything. There are certain issues on which we will take the IHRB to task, such as the pre-race testing to which I referred. It wanted to do what the British Horseracing Authority, BHA, does, which is to test one or two horses. On issues such as that, we sit down with the IHRB, agree or disagree, and put forward our views on the best way forward. Horses are very sensitive animals. At times one gets the sense that the IHRB does not get how important it is for horses to be able to relax before a race. It is a competition. Any little thing can upset a horse and affect its performance. We have those discussions with the IHRB. There are other matters we discuss with it. We do not always agree but, in general, we have confidence in the IHRB.

If, for instance, a trainer is fined or anything like that, I represent the trainer at appeals and so on. I represented a trainer yesterday at an appeal at which we turned around the original decision. It only related to fines and non-runners and things like that but one of the functions of the IRTA is to represent-----

Deputy Matt Carthy: That is what I understood its role to be. This is the Joint Committee on Agriculture, Food and the Marine and it is very unusual for us to meet a representative body that is so fulsome in its praise of its regulatory body. For example, if we ask a farming organisation about the inspection regime of the Department of Agriculture, Food and the Marine, one can be guaranteed that harsh words will be said. That is the case across all boards. This is the first instance where a representative body has not taken the opportunity to get stuck into its regulatory body.

Mr. Michael Grassick: I stated that there are differences of opinion. That happens on a regular basis. However, we sit down and argue our position with the IHRB and usually come to a compromise on the best way forward.

Deputy Matt Carthy: Reference was made to the now well-known case in France involving feed testing positive. Is there any reason why a positive result was forthcoming in France

but a similar result had not been previously been detected in Ireland for the same feed?

Mr. Michael Grassick: That question was answered at the previous meeting. At the time, the French laboratory was testing to a greater degree. The expert from the laboratory in Newmarket stated it was testing to one part per billion, whereas in France the testing was five times more sensitive. The Chairman may remember that exchange but that is my memory of what was stated at the meeting last week and that is why the French laboratory detected the substance.

Deputy Matt Carthy: Could there be other areas where there are better or higher standards internationally in the context of testing taking place at any level?

Mr. Michael Grassick: To be honest, I am not a scientist. I am sure there are people better placed than me to answer that question. All I can do is rely on the information we get from the IHRB. It sends the results to Newmarket to be tested. There is no such testing facility in Ireland. Perhaps there should be such a facility here. Maybe the Irish Equine Centre should be brought up to speed in that regard. That is something HRI is trying to do but it is a matter of funding.

Deputy Matt Carthy: I am sure Mr. Grassick is aware that Panorama, a BBC television programme, is preparing to broadcast a documentary. I think it will be entitled, "The Dark Side of Horse Racing." Has Mr. Grassick's organisation or any of its members been asked to contribute to that programme?

Mr. Michael Grassick: They has been. There are three or four-----

Deputy Matt Carthy: Is Mr. Grassick engaging with it?

Mr. Michael Grassick: I am aware of it.

Deputy Matt Carthy: Is Mr. Grassick engaging with the programme makers?

Mr. Michael Grassick: Sorry?

Deputy Matt Carthy: Is Mr. Grassick engaging with the programme makers?

Mr. Michael Grassick: I have not been contacted by the programme makers.

Deputy Matt Carthy: Have any of Mr. Grassick's members?

Mr. Michael Grassick: They have been.

Deputy Matt Carthy: Mr. Grassick will be aware some of his members-----

Mr. Michael Grassick: They themselves will be answering the programme. I am not aware of the substance of what will take place.

Deputy Matt Carthy: Is Mr. Grassick aware of any of his members being involved in any legal challenges in that regard or in any ongoing media coverage of these issues?

Mr. Michael Grassick: None whatsoever.

Deputy Matt Carthy: Mr. Grassick will agree that the allegations that have been made and the consistent innuendo are damaging to his sector.

Mr. Michael Grassick: Of course, I agree. In a meeting, such as the meeting that we are

having today and we had the other day as well, we are at least given an opportunity to come before the committee and explain our position. It is terrible that rumours like this circulate but, as I said previously, I have no information other than rumours. That is all. I have no specific information.

Deputy Matt Carthy: Does Mr. Grassick agree with one member who has spoken about being guilty until proven innocent? I would rephrase it as until we can provide clear and transparent evidence that robust regulatory monitoring and enforcement is taking place, some of the secrecy that pertains in the industry is adding to the damage and is permitting some of those so-called rumours to permeate. People who are close to the sector are not satisfied that everything is being done in a way that would ensure maximum transparency and lead to maximum confidence. Does Mr. Grassick agree with that?

Mr. Michael Grassick: Would Deputy Carthy put that question to me again? Sorry, I thought he was making a statement.

Deputy Matt Carthy: I was looking for comment. I will rephrase it. Would it be better, in order to counter those allegations and any rumours that may be there, if the sector was more open in terms of being more visible regarding how the regulatory body was appointed, how it was structured, how it divulged its activities and its accounts, and if all other elements of the sector were to do the same?

Mr. Michael Grassick: On the regulatory body, the Deputy might have a point that there should be more accountability there. As far as I know, the oversight is there from HRI regarding finance. Unless the structures change in Irish racing that we, the trainers' association, would take some part in it as such, we have not been asked to do anything like that.

Deputy Matt Carthy: I fear that if the structures are not changed, the sector could be damaged in the long term. I thank our guests.

Deputy Joe Flaherty: I will be as brief as I can. I want to place on record my admiration for the training community in Ireland and for the wider racing industry. They have been a fantastic storybook for the nation at home and abroad. They have been excellent employers. Notwithstanding recent media reports, they have a good story to tell.

I have five questions. They are all short and snappy. If they answer each of them, it will save us going back and forth. First, they are a representative group. They have no regulatory authority or responsibility.

Mr. Michael Grassick: We have no regulatory authority.

Deputy Joe Flaherty: That is grand. The next question is for Mr. Halford. There is a television programme coming up. There has been much media attention. How damaged will the industry be as a result of this?

Mr. Michael Halford: Until the programme comes out, I am not sure what content will be in it or what they can do. At present, it is all speculation and it is difficult to comment on that.

Deputy Joe Flaherty: Mr. Grassick clarified the association is a representative body. Where does the association see itself in terms of the challenges that are emerging? If we get a high-profile UK television programme, it will leave a light bulb on us for a long time afterwards. Are they positioning themselves or where do they see their role in protecting the industry and trying

to address the tarnishing of that industry's representation going forward?

Mr. Michael Grassick: We will always protect our reputation but if anybody does anything wrong, they have to be dealt with. We cannot support any wrongdoing, whether by members or non-members. We have a wonderful industry, as the Deputy said. We are world leaders in racing from a small nation. Our reputation is important because we sell our horse stock all over the world. The number of international owners who come to have their horses trained in Ireland is incredible, both for the flat and national hunt. It is our reputation that brings these people to this country, both to have their horses trained and to buy our horses. That has not diminished no matter what has been said in the newspapers. We are still trading. It is unfortunate this is taking place. To me, it is unfair if all it is is rumours. That is all.

Deputy Joe Flaherty: That is grand. I am halfway with my questions but I take from this that the association has a zero tolerance approach to any wrongdoing by any of its members.

Mr. Michael Grassick: Of course, we do. It goes without saying.

Deputy Joe Flaherty: As for my final two questions, Mr. Grassick mentioned there is a trainer in the news at present. What he said has been widely reported. Mr. Grassick mentioned the trainer parted with the association on 19 March. Was that of his own volition or, as they say down the country, "was there a falling out"?

Mr. Michael Grassick: No. I got an email and I will read it to the committee. It states:

I wish to inform you that I will cease my membership of the Irish Racehorse Trainers Association as of 4.30 p.m. today.

It is dated 19 March. That is all I got. That was the only correspondence.

Deputy Joe Flaherty: My final question is more of an observation. As Mr. Grassick will be aware, we had Dr. Hillyer before us last week and she was impressive. Everybody agrees she has done outstanding work since she has come into that role. I was pleased to hear trainers signed up, as far back as November last, for pre-race testing for all runners on the basis that no horse would be singled out and that it had to be all runners to ensure that it was an equitable and fair race. In fairness, that is an important undertaking from the association and it needs to be clarified at this hearing as well. Mr. Grassick has come to us and he has engaged with us openly and honestly. It is certainly my view that the association is working hard to address the issues that seem to be under question within the industry at present. I am happy to have heard his evidence and I thank him.

Chairman: I thank Deputy Flaherty and call Deputy Michael Collins.

Deputy Michael Collins: Many of the members have brought up some of my questions. There is no point in being repetitive.

Being from a country background, I have an interest. Everybody has an interest in horse racing, but maybe not to the degree that other members have. I certainly would be supportive of all horse racing. I have been to the road trotting and the local guys there find it hard to survive with little funding.

I would like to ask Mr. Grassick whether he thinks it is acceptable that a self-elected gentleman's club receiving Government funding - it was up to €9 million last year - is not answerable

to anyone?

Mr. Michael Grassick: They are answerable to HRI regarding how the money is spent. We are in the position we are now. The IHRB, which was previously the Turf Club, has been in existence for more than a couple of hundred years and nothing really has changed there. Maybe there should be changes but, to be honest, that is another day's work.

Deputy Michael Collins: Does Mr. Grassick agree with what I said when the IHRB were before us last week in that it should be dismantled and an independent body answerable to HRI, the Minister and this agriculture and marine committee should be considered?

Mr. Michael Grassick: With regard to any regulatory body and the question of who regulates the regulator, maybe that is something that could be looked at.

Deputy Michael Ring: Mr. Grassick said he had engagements with the gentleman who made the allegation to the national newspaper. Did he make those allegations to Mr. Grassick with regard to what was going on in the industry?

Mr. Michael Grassick: He did make certain allegations but he had no names or proof. It was just that he felt certain things were taking place. That is all he said.

Deputy Michael Ring: In an article in *The Irish Times*, Mr. Grassick was quoted that one trainer has suggested the US anti-doping agency should examine Irish racing, but it was something Mr. Grassick was not against. Will he please tell me more on that?

Mr. Michael Grassick: I do not think I said that.

Deputy Michael Ring: I read that in *The Irish Times*. I may be wrong and may be open to correction but Mr. Grassick may check it. What are his views on the US anti-doping agency coming in and doing an examination of what is happening in Irish racing?

Mr. Michael Grassick: I would have no problem with that. There is nothing to hide. I welcome any body that can help get us out the predicament we are in at present, which would be useful. Rumours are doing us no favours. If that was needed and if HRI and the Government felt that was the best way to go, I would encourage that.

Deputy Michael Ring: Does Mr. Grassick think it is appropriate that those involved in buying and selling of bloodstock are also charged with overseeing the regulator in charge of anti-doping? Is that not a clear conflict of interest? In America, the new governing body will have five independent members with no association with racing and four members with an association with racing but no active links. Does Mr. Grassick accept this would be a better way to do things in Ireland? I want to make it clear I am not a horse racing man but I like horses and an odd bet now and then. I would like to know that when I am betting, I am betting on something that may win. It does not happen often but I would like it to happen.

Mr. Michael Grassick: We would all like that. Nobody likes bad news. I have lost my train of thought.

Deputy Michael Ring: The two questions were with regard to the buying of bloodstock and the same people regulating the regulator.

Mr. Michael Grassick: If everybody involved in racing had no other part to play, we would not find anybody to do anything because we are all involved, as Mr. Halford said in his opening

speech. I am a small breeder. My son trains since I retired. We have a few mares. That is the way it is. Everybody is sort of involved. To try to find somebody outside who has no involvement in racing would be near impossible.

Deputy Michael Ring: With regard to the governing body, does Mr. Grassick think there should be more independent people on the boards?

Mr. Michael Grassick: Is Deputy Ring talking about the Horse Racing Ireland board?

Deputy Michael Ring: Yes. With regard to regulation.

Mr. Michael Grassick: The regulatory thing is the IHRB. Maybe there could be a few independent people in there, but the HRI board is more than independent because all bodies are represented there.

Deputy Michael Ring: Those are my questions.

Senator Lynn Boylan: My questions are on the opinions of our two guests in respect of the authorised officers at the IHRB and their qualifications. Is it true the authorised officers do not have to have a professional qualification before being appointed as an authorised officer? If that is the case, do they agree this is not appropriate and we should have people who, at least, have a university qualification before they are appointed as authorised officers? Is there an IHRB training manual for the authorised officers? If there is one, is it available publicly?

Mr. Michael Grassick: I will take that. That is a good question. I have asked that question of the IHRB, with regard to the training of the authorised officers. I asked for the manual on that and I have not been furnished with it yet. From what I can gather, with regard to the in-training inspections outside the racecourse, before, a panel of vets and IHRB personnel would do those tests. Since the authorised officers came in, seemingly a number of those people who did the previous tests did not want to take up the position of authorised officer because they felt it was a conflict with themselves. Knowing their day-to-day work with the trainers, they did not want to be involved in that sort of a situation. They said they had to work with them under normal circumstances and they did not want to be going into yards with the authorised officer's status. All I know is there are 12 authorised officers. They have been split up to do all of these inspections and no vet has been present at some of those inspections. That is wrong but that needs to be put back to the IHRB.

Chairman: I thank Mr. Halford and Mr. Grassick of the Irish Racehorse Trainers Association for engaging with us on this extremely important topic. We will now suspend for two minutes while we are waiting to get in the other witnesses. Is that agreed?

Mr. Michael Grassick: I thank the Chairman for the opportunity to speak.

Mr. Michael Halford: I thank the Chairman.

Sitting suspended at 4.37 p.m. and resumed at 4.38 p.m.

Chairman: We are back in public session for an engagement with Horse Racing Ireland and the Irish Horseracing Regulatory Board. I welcome Mr. Brian Kavanagh, CEO, Horse Racing Ireland; Mr. Denis Egan, CEO, Irish the Horseracing Regulatory Board; Dr. Lynn Hillyer, chief veterinary officer and head of equine anti-doping, the Irish Horseracing Regulatory Board; Mr. Niall Cronin, communications manager, Irish Horseracing Regulatory Board and Dr. Clive Pearce, LGC laboratories, Newmarket. I thank them for returning to continue the discussion of

the important topic as there was not sufficient time for members' questions last Thursday. We have received their opening statements. We are limited in our time, due to Covid-19, and are taking their opening statements as read and leaving the full time for questions of the members.

Witnesses are protected by absolute privilege in respect of the evidence they are to give to the committee. However, if directed by the committee to cease giving evidence in relation to a particular matter and continue to do so, the witnesses are entitled thereafter to qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given. They are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against any person, persons or entity by name or in such a way as to make him, her or it identifiable. Participants in the committee meeting who are in locations outside the parliamentary precincts are asked to note that the constitutional protections afforded to those participating from within the parliamentary precincts do not extend to them. No clear guidance can be given on whether or the extent to which participation is covered by the absolute privilege of a statutory nature. We will resume with questioning of the two boards.

Deputy Matt Carthy: I thank the witnesses for returning. I want to pick up where I left off with the trainers on the BBC "Panorama" documentary that is due to be broadcast next Monday. It is one of those things that those of us who hold horse racing in high esteem are concerned to see. It is expected to focus on horses that were euthanised or in some cases ended up in the food chain. Irish trainers are expected to feature. Could Mr. Kavanagh indicate whether he has engaged with the programme makers or if he is aware of any legal challenges to it and if he wants to respond to what appears to be concerning revelations? According to the blurb for the programme:

Panorama discovers that off the track many horses suffer career-ending injuries, and rather than being rehabilitated or retrained for life outside the sport, racehorses that have been owned and trained by some of the biggest names in the industry have been put down, some meeting grisly deaths.

It would be useful if we could get clarification from HRI that the practice I have just described does not happen in Ireland.

Mr. Brian Kavanagh: Yes, we have had engagement with the production company in the past ten days, as have our counterparts in the British Horseracing Authority, BHA, as well. I am not aware of any legal challenges. We have responded to queries and I hope that will be reflected in the programme due to be broadcast next Monday.

Deputy Matt Carthy: Is Mr. Kavanagh aware of whether the practices that I outlined in the blurb happen in Ireland?

Mr. Brian Kavanagh: It is very hard to be specific about a programme until it has been aired. The promotional material the Deputy mentioned is very unspecific and general, so until the programme is broadcast it would be wrong to get into a level of detail on something that is going to happen next week.

Deputy Matt Carthy: What would generally happen to an injured horse?

Mr. Brian Kavanagh: In what sense?

Deputy Matt Carthy: What would happen to an injured racehorse that does not need to

be put down?

Mr. Brian Kavanagh: There are various options regarding the horse, such as retiring to the breeding industry in the case of a brood mare or female horse. In some cases, there would be rehabilitation to try to return to training. There is repurposing for different uses. Horses are re-trained for eventing and other areas. Sometimes, euthanasia is the only alternative and in some cases is recognised as the best option for horses. Ireland, probably more than any other country, has a large breeding industry and a large number of racehorses end up in breeding farms at the end of their career.

Deputy Matt Carthy: Would it be possible for any of them to end up in the food chain?

Mr. Brian Kavanagh: There are processes in place to prevent that. That is a matter for food safety authorities. There is microchipping and passport identification. Horses that have received certain medications are stamped as being not for the food chain. Clearly, that is a cultural issue, which is not well regarded in Ireland or Britain, but horses do enter the food chain in continental Europe, as the Deputy will be aware. Processes are in place through the passport and identification system to prevent that.

Deputy Matt Carthy: If a horse was ever treated with Bute, could it end up in the food chain?

Mr. Brian Kavanagh: Not once it is stamped as not being for the food chain. That is a matter for the food safety authorities.

Deputy Matt Carthy: Okay. I will move on to the IHRB. I presume Mr. Egan is with us again.

Chairman: There are three or four representatives from the IHRB.

Deputy Matt Carthy: Since we met last week, once again I have been inundated with phone calls, emails and lots of questions. I am sure it has been the same for other members. The overarching view is that there is a lack of transparency within the IHRB, which is leading to a lack of credibility generally. Following on from our discussions last week and the IHRB's own deliberations, does Mr. Egan have any proposals to address the lack of transparency?

Mr. Denis Egan: We are delighted to be back here again today. We are pleased to try to address these issues. We do not accept that there is a lack of transparency. A number of points were made during the previous session with the IRTA and it is important that I clarify the record as there seems to be a misunderstanding to the effect that we are not accountable. We are accountable to six different organisations. Financially, we are accountable to HRI and there is full transparency. We prepare a budget on a line-by-line basis each year in October-November that goes to the HRI board. We have discussions with the HRI executives before it goes to the board. We agree a figure and it gets approved. We account on a monthly basis for everything we spend and, on a quarterly basis, there is an in-depth review with HRI of all the variances. As I stated last week, we cannot reallocate money that was given to be spent in one area on another area. That is the first area where we are accountable and transparent.

Second, the Comptroller and Auditor General carries out a full audit of the IHRB and goes through everything to ensure we comply with public procurement processes and our own internal policies. Third, we are accountable to all Oireachtas committees. That is enshrined in legislation in the Horse Racing Ireland Act 2016. We are accountable to the Joint Committee on

Agriculture, Food and the Marine and the Committee of Public Accounts. We are also accountable to the Minister for Agriculture, Food and the Marine and we regularly get parliamentary questions where we have to give information to the Minister on specific issues. We are fully transparent, and anybody can ask us any question regarding our activities and we would be quite happy to deal with it. We have nothing to hide. We are proud of what we do.

Deputy Matt Carthy: Could I ask what Mr. Egan's salary is?

Mr. Denis Egan: The situation regarding my salary is that full information was given to the Department of Agriculture, Food and the Marine in-----

Chairman: Mr. Egan does not have to answer that question.

Deputy Matt Carthy: He just said I could ask him any question.

Chairman: I am just telling him he does not have to answer that question but he can answer it if he wants.

Mr. Denis Egan: What I would say is that information has been given to the Department of Agriculture, Food and the Marine.

Deputy Matt Carthy: Mr. Egan will agree that is not the hallmark of transparency. In fairness to Mr. Kavanagh, we know what his salary is. We know the salary of every elected representative at this meeting. We know the salary of everybody who earns more than €100,000 of public money. I do not want to personalise it. This is an issue for all senior staff within the IHRB. We do not know how much they earn.

Mr. Denis Egan: What I will say again is that the Department of Agriculture, Food and the Marine has the full information and agreed a derogation on the basis of the information supplied to it.

Deputy Matt Carthy: Why would that derogation have been sought or given?

Mr. Denis Egan: For the very same reasons we outlined last week: the information is commercially sensitive and it would be easy to identify people. The Department has it.

Deputy Matt Carthy: I understand that people could be identified, but if somebody is a CEO of a publicly funded body, why would that information not be publicly available?

Mr. Denis Egan: Certainly in my case it is not publicly available. As the Deputy will be aware, the IHRB will be in the process of recruiting a new CEO very soon and I do not want to do anything to undermine the process.

Deputy Matt Carthy: Is the pay that bad?

Mr. Denis Egan: I will not comment on that.

Deputy Matt Carthy: I do not mean to be facetious. I ask because the IHRB receives €9 million of funding that essentially comes from the taxpayer. If we are talking about ensuring transparency and accountability then that needs to go across the whole raft. I will finish on this because we are very tight for time. It was mentioned by the trainers earlier that there has been a notable increase in inspections in the past number of months. Could Mr. Egan outline the rationale as to why that has happened and whether it is his view that this level of inspection will continue from here on in? Is there a particular reason for this period?

Mr. Denis Egan: I will answer the second part and hand over to Dr. Hillyer, who will give the Deputy chapter and verse. The plan is that the level of inspections will continue. As I said, however, Dr. Hillyer can give the Deputy chapter and verse as to what has happened.

Dr. Lynn Hillyer: I am very happy to do so. I thank Mr. Egan. The inference was in response to questions from Senator Mullen that there has been a dramatic increase in testing and inspections in the past couple of months. I want to put that in some sort of perspective. I mentioned last week that our out-of-competition testing has improved or increased from approximately 9% in 2016 to 18% in 2019 and is now up at 28%. That did not happen in the last two months. We did not wake up two months ago and begin testing. It has been a gradual, incremental and quite dramatic increase over the last two, three and four years.

The reason we have increased our out-of-competition testing is because that is where we need to focus our efforts. Any modern anti-doping programme does that. There has been an increase in June; there is no doubt about that. That was entirely coincidental with the issue of our authorised officer warrant cards. We had a little bit of ground to make up due to Covid-related absences on yards earlier in the year. I think I explained that last year and the Deputy can see from our statistics. It has, therefore, increased. We will be increasing it. Again, as I explained last week, it is not all about numbers. It is about the quality of the testing as well as the numbers.

Deputy Matt Carthy: To clarify, Dr. Hillyer is saying the testimony from the Irish Racehorse Trainers Association was incorrect in that regard about the last couple of months.

Dr. Lynn Hillyer: No, not at all. The IRTA was exactly correct in saying there has been a lot of testing in the last couple of months. I am just trying to give the Deputy some context as to why. We are making up ground in terms of having lost some testing earlier this year because of Covid-19. We could not access the yards, in all fairness, unless there was an emergency or an intelligence-led reason to do so. We had to drop our standard routine testing a little bit out-of-competition. What I was trying to give the Deputy was a reflection of the overall increase in the past few years. It has not just been the last couple of months.

Deputy Matt Carthy: I thank Dr. Hillyer.

Chairman: Deputy Flaherty had been due to come in on this question last week but he is not currently available. I call Deputy Michael Fitzmaurice.

Deputy Michael Fitzmaurice: I thank the Chairman. I disagree with one thing Dr. Hillyer said. When it came to testing cattle, if there was anything untoward anywhere, the Department for Agriculture, Food and the Marine was able to work on livestock right around the country. I would not buy into Covid-19 for an excuse.

International research from experts such as Professor Richard Sams in America suggests that two methods of hair testing are actually needed. One method is for anabolic steroids and the other is for the beta2-agonists. Is the IHRB using two different systems or one system of hair testing?

Dr. Lynn Hillyer: Our system covers both of those groups of drugs. Professor Rick Sams is a long-standing friend and colleague. He is absolutely right. There are different approaches that can be applied to hair. The essential part of it is that one mashes up hair into a solvent, extracts the solvent that contains the drugs and then puts that solvent through a machine and it detects drugs. We are fortunate enough to have-----

Deputy Michael Fitzmaurice: The IHRB is doing both anyway. I must cut across Dr. Hillyer because I want to get through the questions as quickly as I can.

Dr. Lynn Hillyer: We are covering both.

Deputy Michael Fitzmaurice: Is Dr. Hillyer aware that there is talk about the administration of an injection that can be given to horses, which basically gives adrenaline before races and could be gone out of them at the end of a race? Is Dr. Hillyer aware of that or has she looked at it? Is that correct?

Dr. Lynn Hillyer: A number of drugs can be given shortly before racing in an attempt to affect performance. Adrenaline would be one of them. Cocaine could be another. Adrenocorticotrophic hormone, ACTH, which stimulates natural endogenous testosterone and other steroid production, is another. We are not detecting any of that in our sampling. That is both out-of-competition, which is the really important bit, and on race day.

Deputy Michael Fitzmaurice: Does the IHRB contribute to international studies on all this?

Dr. Lynn Hillyer: We do at the moment through our personnel and through our samples, which are held and stored at LGC. I would like to do more. I would always like to do more, particularly in research. I have been very active in the research field. I would like to continue doing that. Again, Dr. Pearse is on this call and he may wish to explain further.

Deputy Michael Fitzmaurice: In 2017, the IHRB announced the implementation of a race day cobalt threshold in plasma and urine. Did the IHRB get involved in that drug testing, for instance, by putting money towards it or putting research together for it along with other countries?

Dr. Lynn Hillyer: I was involved in the administration, which contributed to the threshold for cobalt. I have co-authored, and in fact, led papers on cobalt detection. We continue to contribute through our samples, for example, threshold settings. To give that example, threshold setting for cobalt relies on samples from all over the world to make sure the threshold is fit for purpose all over the world. And yes, samples were contributed.

Deputy Michael Fitzmaurice: Okay. Can Dr. Hillyer paint this picture for me? I was thinking about what she said at the previous session about going out to, for instance, some stud farm where there are horses. Before she goes, does she have a system that will tell her every one of the horses that is on that farm?

Dr. Lynn Hillyer: That is a very good question. We have a system that will allow us to understand an element of that but it is not foolproof.

Deputy Michael Fitzmaurice: I asked a very specific question. Can Dr. Hillyer, before she goes out to a stud farm, say that she has the registrations for 15 horses or 12 horses or that she knows every one of them? It is a "Yes" or "No" answer.

Dr. Lynn Hillyer: To a stud farm, the answer is "No".

Deputy Michael Fitzmaurice: We have a system in place. I asked the question of whether horses could be moved. When Dr. Hillyer has gone out to a stud farm, I am aware from information received that both the Department and Dr. Hillyer or the authorised officers have been held up before they have got into certain places. I am saying to Dr. Hillyer now that she has

admitted there is no system to know.

If, for example, I have cattle and a veterinary inspector comes to my house, he or she will tell me any animal I have. If I shift something, it is known. I have to put in an application to shift it. My understanding at the moment in this sector is that it is a full paperwork system. I could say that five horses have gone down the road to Johnny or Mickey whoever and Dr. Hillyer cannot say “Boo” to them. Is that correct?

Dr. Lynn Hillyer: To get back to the first point, we are not held waiting at yards. I need to really clarify that. We are not held waiting at the gates. Authorised officer status means that we can hop over the gate or over the wall-----

Deputy Michael Fitzmaurice: I am sorry for talking over Dr. Hillyer but funnily enough, since last week, we have had whistleblowers, who stated very clearly that the IHRB has been held at yards and the Department has also been held by security at yards.

Dr. Lynn Hillyer: Part of an investigation or visit onto a yard involves reconnaissance. One needs to understand what exits and entrances one has and one needs to make sure those are covered. The story the Deputy is talking about, for example, of an animal leaving or moving or being spirited away in a lorry down the back drive does not happen on visits where we have that reconnaissance done.

The Deputy is completely right. We do not have a movement database for horses in the same way as is present for cattle. We would love one and we are working hard on that with other authorities and groups. Right here, right now, however, our way to deal with that is to do our homework properly. When we attend a yard, therefore, if we have concerns about animals moving, my officers are briefed to literally park behind the horse lorries and make sure they have gone to the back gates just as the Department does. We operate, therefore, in the same way as the Department’s authorised officers.

Chairman: Surely, Deputy Fitzmaurice’s questioning is correct. In this modern era, there should be a computerised monitoring of all movement of horses.

Dr. Lynn Hillyer: We would love one. I am sorry to cut across the Chairman.

Chairman: When the IHRB goes into a yard, whether it is a pre-training yard or a training yard or wherever it goes, it should know going in that gate that six, 17 or 77 horses are present.

Dr. Lynn Hillyer: It is what we need.

Deputy Michael Fitzmaurice: I can come in on that. The animal identification and movement, AIM, system is up and running at the moment for livestock. There is no reason why the IHRB should have been huffing and puffing over the past number of years about bringing in that system because the Department of Agriculture, Food and the Marine, in fairness to it, has one of the best systems in Europe for livestock. There is not the same number of horses compared with cattle, cows or even sheep. Is it not a ferocious flaw that in recent years the IHRB does not have a system in place? It puts the IHRB at a huge disadvantage. It is not Dr. Hillyer’s fault. I do not blame her, but why are we looking at this for so long without making a move and when will that move be made? Who is going to answer that question? Will it be done before the end of this year? When will we have a card system for horses, like for other animals so that the IHRB will know how many horses I have, the Chairman has or whoever else, without even going near the person? The owner is accountable whether the animals move or not. One cannot say that

they are gone to someone down the road because one has to go through the system of filling in the change of ownership online.

Dr. Lynn Hillyer: I agree with Deputy Fitzmaurice. I think it is needed. In my first week in office, as it were, in 2016 I had a meeting across the road in Kildare Street, to speak to officials about this. It is something that we want. I would not say we have been huffing and puffing. One of the challenges is that horse movement is significant. Horses move a lot more than cattle or sheep in their lives. They can move a dozen times very easily and tracking that is a challenge. Deputy Fitzmaurice is absolutely right; it is not beyond the wit of man and it is something that we need.

In terms of horses in training with licensed trainers, we have a handle on the whereabouts of horses on premises through HRI's database and systems. Where we have a gap is with animals that have not yet entered training and that is where we would like to focus.

Deputy Michael Fitzmaurice: Dr. Hillyer stated at the previous meeting that the IHRB follows up any leads regarding alleged wrongdoing in the industry. We all got emails during the week. In fairness, it was before Dr. Hillyer's time, in 2007 a whistleblower went as far as stating the cupboard where the alleged drugs were stored. In 2018 and 2019, when she was there, the whistleblower stated that the same thing happened again. Is it not surprising that if one was told what cupboard it was in, that something would not have been done? What percentage of leads are followed? At the previous meeting Dr. Hillyer stated she treats everything seriously. Everyone got the email from the whistleblower outlining the information. What does she have to say in response?

Dr. Lynn Hillyer: I will repeat what I said last week, it is incumbent upon me and my team to act on anything that hits our desk. If we were told about a cupboard where drugs were kept or we were given lists of drugs or any information along those lines, it is not even a question of assessing that, it would require immediate action. Sifting out information from intelligence can take time. Sometimes, something is blindingly obvious, for example, if somebody gives the name of a horse, a trainer or a drug, that clearly is a lot stronger and there is a lot more to go on than information which is more anonymous. It depends on what we receive, but if it hits my desk, we will act on it.

Deputy Michael Fitzmaurice: It would help if that whistleblower came forward and named the person that it was sent to. Dr. Hillyer said that no matter who gets it in the group that he or she must make sure it is given to her. If it was sent to some other person in the group, would there be serious consequences as a result?

Dr. Lynn Hillyer: If I understand the question, is Deputy Fitzmaurice asking whether it gets acted upon if it ends up on my desk?

Deputy Michael Fitzmaurice: If it ends up on somebody else's desk, is the person supposed to send it to Dr. Hillyer?

Dr. Lynn Hillyer: As head of anti-doping, it should end up on my desk.

Deputy Michael Fitzmaurice: Okay, that is grand. I do not know which of the witnesses deals with passports. I have a situation at the moment where one horse has three registrations and cannot be killed because of the system. Is the passport registered with the animal identification and movement, AIM, system in the Department of Agriculture, Food and the Marine or with Horse Sport Ireland, HSI? There are three registration numbers, but they are for one horse.

It is not fit for human consumption for reasons that have been outlined earlier. Why would there be three registrations on the one passport?

Mr. Brian Kavanagh: Is it a thoroughbred?

Deputy Michael Fitzmaurice: It is with Horse Sport Ireland.

Mr. Brian Kavanagh: If it is a non-thoroughbred it is a matter for Horse Sport Ireland. I am not fully clear. There are several passport issuing authorities for non-thoroughbreds because of the different types of breed. We cannot help Deputy Fitzmaurice with the question. There is one passport issuing authority for thoroughbreds, which is Weatherbys.

Deputy Michael Fitzmaurice: That is fair enough. I will return to my question about the AIM system. Mr. Kavanagh is the leader of the pack and the person who is responsible for guiding a lot of it. When can he give a commitment that the system will be foolproof in terms of making sure that the authorities know exactly what horses I or somebody else have in the yard?

Mr. Brian Kavanagh: As Dr Hillyer says, there is full traceability in relation to horses in training through our system. This year's foal crop was the first crop to be issued with an e-passport, which will allow greater traceability for those horses. There is a working group comprising Horse Racing Ireland, the IHRB, Weatherbys, who operate the stud book, and the Department of Agriculture, Food and the Marine, working to complete the circle in the area Dr. Hillyer mentioned earlier, namely, horses at stud and in breeding farms. They are working with a view to completing that in the course of the next 12 months. The 2021 foal crop will be the first crop issued with e-passports and then it will work its way through the system. The comparison with cattle is a valid one in some sense, but equally, as Dr. Hillyer says, horses generally move significantly more during their lifetime than cattle.

Deputy Michael Fitzmaurice: Mr. Kavanagh must excuse me, but I do not care if a horse moved 12 times. The AIM system is so well done that if one has a clear herd, one can go onto one's laptop and within a matter of seconds one can print one's movement form. The animal is transferred into the new owner's name on the basis of the herd number. I presume there is an equine number in the horse business. It makes no difference if we move an animal once or 44 times, we can make sure of traceability with the AIM system. Would everybody here support this being brought in immediately not alone for foals but for older horses? The simple reason is that Dr. Hillyer and any of the authorised officers are at a big disadvantage when they go out. First, they do not know what they are looking for, because if they put their hand on their heart they do not know how many horses anybody has. The paper trail is there with the AIM system. I have done some research, but the witnesses can correct me if I am wrong. I could say I posted a docket yesterday when I sold a horse to Jackie Cahill or Paul Kehoe or whoever else. That is not a system at all. One does not have to produce one's horses.

Mr. Brian Kavanagh: We would be delighted to have that system. The system exists already for horses in training, which is the primary area of focus of today's discussions. The traceability gaps, if one wants to call it that, are in regard to horses at stud and that is a process that is being worked through with the bodies I mentioned earlier.

Deputy Michael Fitzmaurice: I want to let somebody else in. I thank the witnesses for responding to the questions.

Chairman: I call Senator Paul Daly.

Senator Paul Daly: I was involved in the discussion earlier so if you have time at the end, Chairman, you could call me then. I know Senator Boylan was not involved so I will allow her to contribute.

Senator Lynn Boylan: I thank Senator Daly. My question for the IHRB is on the educational qualifications for the authorised officers. What qualifications are they required to have? Is it a third-level qualification? Is a training manual available or what sort of training do authorised officers receive? In the interests of transparency, if there is a training manual, is that publicly accessible or accessible to the committee?

Dr. Lynn Hillyer: We started the training of our officers the moment we began to go into the system with the memorandum of understanding, MoU, last year. We have extensively gone out to our teams to look at the skill sets that we had. I should probably explain. The skill sets we have within officials in racing are varied. There are some who, perhaps, have not gone into tertiary level education, some have come straight from school and some have gone all the way and have PhDs. It just depends. What they all have in common is that they are expert horse people and they understand racing. They know how to work around horses and understand racing and racing people. Perhaps more importantly, they understand what we are trying to achieve.

When we looked at how to structure our recruitment, training and assessment for the authorised officer team, we looked at the skills required to do the authorised work effectively, correctly and fully. We took advice from the existing authorised officer team within the Department. We looked at where they came from and their backgrounds and we acted accordingly. To cut a long story short in the interests of time - and I am happy to talk about it in depth on another occasion - we invited applications of interest from our team. We invited applicants to a preliminary session hosted by the Department at which there was a run-through of what the authorised officer piece would involve, including the responsibilities and accountability involved and the skill sets required. We laid it on the line quite strongly as to what was involved because we did not want people to be going in with anything other than their eyes open. We then had a very rigorous interview and selection process, which resulted in the 12 officers being interviewed, assessed and followed through on.

The training has been based on material provided by the Department. As you would expect, it is material about the legislation itself. It is material concerning how they conduct their business as authorised officers. It is material relating to ongoing assessment. I should point out that we have a consultant from the Department on a permanent retainer, as it were, to act as mentor for the team. We are in constant dialogue and contact with the Department about the work we have done so far, seeking feedback and assessment. What I am trying to say is that a lot of thought has been given to this. I am from a teaching and training background. I have taught students from different backgrounds and of varying abilities. It is something that is very important to me. It was particularly important for the organisation that when we embarked upon this and took on this responsibility, it was handled and taken seriously.

The book is still open. There is a draft training manual and we are still adding to it. We will take time this year to review our activity in conjunction with the Department in order to ensure that we have a complete document. At that point, I would be very happy to make it public in the interests of transparency. Currently, we have to do a bit more before we would be in a position to produce it properly.

Senator Lynn Boylan: So there is no final set of qualifications that somebody needs in order to be named as an authorised officer. Is Dr. Hillyer stating that it is a moveable feast and

that the training manual is not finished?

Dr. Lynn Hillyer: No. The training is complete. Otherwise, we would not have allowed them out as authorised officers. The manual, which explains how we do our business and how we go about it, is still evolving. I do not believe that either the Department or the team on which we are modelling ourselves have such a manual. It is something we are working on in tandem to put together.

In the context of the qualifications, I must be clear. It was very important to us that we had people in the team who come from all different walks of life. For example, there is a person on the team who was an authorised officer for the Department previously and who was in the investigations division. There are other people who are relatively young and who are from much more of a racing yard background, if you like. One of the team members was an equine nurse. I am very fortunate to have five veterinary surgeons on the team. It was mentioned earlier that it should be a veterinary surgeon who automatically goes onto the yards. I do not agree with that. It should be a properly assessed and qualified person, but that qualification does not necessarily mean tertiary education.

Senator Lynn Boylan: Just to clarify, Dr. Hillyer mentioned team members being properly assessed. As I understand it, there is no actual assessment. The assessment is carried out by the IHRB. Is there an examination or an assessment that somebody who is going to be appointed as an authorised officer has to complete?

Dr. Lynn Hillyer: We put in place an examination and an assessment. There was not one available off the shelf that we could pick from. We put in place a structure and a process ourselves.

Senator Lynn Boylan: Is that assessment available publicly if somebody has completed it?

Dr. Lynn Hillyer: I would be happy to make it public.

Chairman: I call Deputy Flaherty.

Deputy Joe Flaherty: I will be brief. I have two questions. The first is for Mr. Kavanagh. We had representatives from the IRTA before us at our previous session. There was surprise among some of my colleagues on the committee that they were not more critical of the IHRB. They were somewhat surprised to learn that there seems to be a somewhat harmonious relationship between the organisations. Generally, we all agree that people in industry are horse people first and foremost. They are absolutely dedicated and committed to horse welfare. Could Mr. Kavanagh give us some insight into the relationship between the IHRB and the IRTA? Is there conflict? Is the relationship adversarial or is it very much a professional relationship?

Mr. Brian Kavanagh: That is probably a question for Mr. Egan. The Deputy addressed the question to me but Mr. Egan might be best placed to reply.

Deputy Joe Flaherty: I am happy for Mr. Egan to respond.

Mr. Denis Egan: We have a very good relationship with HRI. As I said earlier, we work very closely with them on a day-to-day basis. Our office is in contact with theirs on everything from registrations to horses in training and non-runners - the whole works. Higher up the line, HRI is working closely with our legal department on CCTV procurement at present. As I mentioned earlier, we meet on a quarterly basis to go through the budget. We submit budgets to HRI

on a monthly basis. We have a very good working relationship with HRI because-----

Deputy Joe Flaherty: I asked specifically about the IRTA. What is the relationship there?

Mr. Denis Egan: We have a good relationship with the IRTA. We liaise with them on a regular basis. For example, we would be in touch with them regularly in respect of safety. Representatives of the organisation attend our safety limit review meetings on an annual basis. We interact, not daily, but certainly, two or three times a week. The IRTA contacts Dr. Hillyer in relation to veterinary issues. It might contact our legal and disciplinary department in respect of appeal matters. As Mr. Grassick said, we do not always agree, but it is a professional relationship. We all have the same aim. We appreciate what they do and they appreciate what we do. We have to regulate and they know that we will make decisions at times on the racecourse or at disciplinary hearings that they are not happy with. Sometimes they are happy with our decisions and sometimes they are not. It is a professional relationship.

Deputy Joe Flaherty: My final question is for Dr. Hillyer. When we spoke with representatives from the IRTA earlier, they told us that in discussions with the IHRB in November, it was agreed that pre-race testing would be for all horses and that horses would not be singled out, because the trainers felt that it would be unfair to the horses that were tested. It seems to be a fair and equitable approach. I am wondering why, if that was agreed in November, it is eight months and heading towards a year later and it has not been implemented. In terms of the public perception of racing at the moment, the best piece of work that the IHRB could do is to implement that immediately. It would send a very strong message to the general public and would be an important defence of the industry.

Dr. Lynn Hillyer: Did the Deputy ask a question?

Deputy Joe Flaherty: Yes. Why has it not been implemented and when is it going to be implemented? It will provide a huge reassurance to the general public.

Dr. Lynn Hillyer: I need to explain that pre-race testing comes in different forms. Pre-race testing means taking a sample on race day, before the race. Pre-race testing can cover a number of different drugs. The substance, drug or practice it was traditionally set up to detect is milk-shaking, namely, the administration of sodium bicarbonate. The testing is a specific anti-doping measure.

Deputy Joe Flaherty: There are other members who want to contribute and I do not wish to take up their time. Dr. Hillyer did give us that background at the previous meeting. The specific question is as follows: when can the general public see pre-race testing, in whatever format it takes, for all racehorses?

Dr. Lynn Hillyer: I want to explain that there is other testing that can be done prior to races that is also very important. I need to get a balance of getting those two types of pre-race testing established properly. That is what has been going on for the last number of months. It will be imminent, as I said last week.

Deputy Joe Flaherty: By imminent, does Dr. Hillyer mean in a month or in three months? Will we see it being introduced before the end of the year?

Dr. Lynn Hillyer: We are talking weeks, not months.

Chairman: I call Deputy Kehoe.

Deputy Paul Kehoe: I welcome the witnesses back to the committee. I wish to return to a question I asked Mr. Egan and Mr. Kavanagh previously. I am not sure if my question was fully understood. It concerns the issue of gallop fees. I am not sure if they fully understood. I am talking about fees paid by trainers to use the Curragh gallops. I want to find out how these are fees used and whether both Mr. Egan and Mr. Kavanagh are fully satisfied that they are fully accounted for and have not been misappropriated for use for top of salaries or any other use.

Mr. Brian Kavanagh: I will take that. To the best of my ability to answer the question, the Curragh gallops are owned by a company called Curragh Racecourse Limited, which is a separate company. They operate the gallops for two types of trainers. The first are trainers who are based on the Curragh and train their horses there all year round and the fees per horse are collected through the HRI client account system. The second are trainers who do not base themselves on the Curragh but come and use the gallops on a *per diem* basis. They bring horses to work because of the variety of gallops. Their fees are also collected on the basis of dockets and information that is returned by the trainer when he or she uses the gallops and processed as a charge on the trainer's account through HRI. As best I can confirm, the fees are processed that way. I am not responsible for that area but that is my knowledge and understanding of the system.

Deputy Paul Kehoe: Does Mr. Egan have anything to add on that?

Mr. Brian Kavanagh: We are happy to go through that with the Deputy offline if he wants to go through more detail on it.

Mr. Denis Egan: I do not, for the simple reason it has got nothing to do with the IHRB. It is a matter for Curragh Racecourse Limited, as Mr. Kavanagh pointed out.

Deputy Paul Kehoe: We discussed at the previous session the IHRB accounts for 2018 and we spoke about the correction of €1.6 million. Considering it is July, where are the accounts for 2020? When the board is looking for best governance, best practice and everything like that, when does Mr. Egan expect that the accounts will be filed and why are they being delayed?

Mr. Denis Egan: We have had our accounts ready since February-March and we are just waiting for the Comptroller and Auditor General to come in. I understand they will be in quite soon. They could be in the next month but there is no reason they could not come in before this. The IHRB accounts will always be effectively more or less a break-even situation because all the board does is provide a service to the industry and we are reimbursed by HRI for the cost of providing that service on the basis of an agreed budget.

Deputy Paul Kehoe: According to an internal note I have seen, the IHRB hired PRISM Leadership and Change Consulting in 2020 for an employee survey and interviews were carried out on 5 May 2020. On 5 August 2020, a gentleman from PRISM stated the review had been completed - I do not want to mention his name - and the company would come back with findings in September. Could Mr. Egan apprise the committee of what exactly those findings were and in what context this survey was commissioned?

Mr. Denis Egan: The survey was commissioned in the context of the directors looking at the appropriateness of the IHRB structure to see if it was fit for purpose. PRISM presented a report and the report was considered by the directors of the IHRB. Summary findings have been issued to all employees. Believe it or not, they went out this morning because there was a number of issues to be sorted out with regard to the finalisation of the structure. The directors

have confirmed that they will work towards the implementation of the changes in the coming months.

Deputy Paul Kehoe: How much was spent on this consultancy firm?

Mr. Denis Egan: It was a relatively small amount. Certainly, it was not a full procurement process. Because it was a chartered quality professional, it was been less than €25,000. I think that is the figure for that.

Deputy Paul Kehoe: For what reason did Mr. Egan think he had to bring in this consultancy firm?

Mr. Denis Egan: No reason at all, other than the fact that the directors wanted to see if the structure was fit for purpose. The IHRB, as the Deputy will be aware, is a new organisation. The first year it operated was 2018 and they want to make sure that the structures are fit for delivering the services that we are required to be deliver.

Deputy Paul Kehoe: In 2016, the IHRB provided €1.8 million for new and improved equipment at BHP Laboratories in Limerick. In 2018, the board terminated the contract with BHP. I have seen correspondence on this. What happened to the €1.8 million? Was that returned to the IHRB and did the board seek to recoup any of it as this would have been taxpayers' money it received from HRI?

Mr. Denis Egan: I do not have the information to hand. I certainly did not think it was as high as €1.8 million. When the mediated settlement was done with BHP, anything that was down there remained down there as part of the settlement. I certainly do not think it was €1.8 million or anything like it.

Deputy Paul Kehoe: Could Mr. Egan come back to the clerk to the committee with that information?

Mr. Denis Egan: I can.

Deputy Paul Kehoe: Are there any personal connections between the IHRB and BHP given that Dr. Hillyer cited BHP when dismissing Mr. Paul Kimmage's story the weekend before last citing the BHP examination of the issue? That is one issue. Of the six horses from Ireland sent to the UK trainers, three tested positive on hair samples for keto steroids. A leading toxicologist carried out an 11- page expert report. The BHA report was only four pages. Does Dr. Hillyer have any comment on that?

Dr. Lynn Hillyer: I stand over my comment last week that it is one of the most extensive investigations I have seen outside of positive. Having had communication with the BHA in between, I am happy to clarify what I can and cannot say given the confidentiality of this piece of the work involved.

The work was done-----

Deputy Paul Kehoe: On that, I read this weekend where Mr. Kimmage tried to get in contact with Dr. Hillyer. If we are to have a sound racing horse racing industry, why not sit down with Mr. Kimmage face to face and clear whatever is in the air there once and for all? I was a Minister for nine and a half years and if somebody had an issue, I would sit down with him or her and clear the air unless for legal reasons. What are Dr. Hillyer's problems? Can we help her put all her cards on the table for Mr. Kimmage to put all his cards on the table? We have

a “Panorama” television programme coming up. Of all the correspondence, I have got more correspondence in the past number of days than what I did previously leading up to last week’s meeting. I would love to go through it but I cannot because I have not the time. My time is up and there are other members wanting to get in.

Dr. Lynn Hillyer: I would like to try and answer for the same reasons as quickly as I can. Mr. Kimmage contacted me, exactly as the Deputy said, this week in between these two meetings. I have said that I would be very happy to sit down and discuss matters with him. That is that part of it.

As for the second part of it as to whether I have any personal connection with the BHA, I am an ex-employee of the BHA. That is it. We contacted the BHA following our session last week because I wanted to be clear on what I could and could not say given confidentiality.

I can absolutely and categorically confirm that the six horses originally tested by the BHA were followed up with further testing involving three horses and that is one of the most extensive pieces of work I have ever seen. They went back some three years in their hair testing. They also undertook unannounced - targeted, intelligence-led proper stuff - sampling of horses related to those six horses on track over a number of months in England. It was only when that work was completed that they were satisfied to say to us that they were happy that there was no problem.

Dr. Pearce is on this call. The Deputy can hear it straight from the horse’s mouth as Dr. Pearce’s team carried out that investigation and analysis. As I say, we now have the green light to give the committee the level of detail I think is needed here to clarify this matter. I do not want to take up time for the committee but it is important. We have been asked the question; Dr. Pearce can answer it.

Dr. Clive Pearce: I want to emphasise what Dr. Hillyer said. All those samples that she spoke about were analysed here and we did not see anything in the way of prohibited at all times substances - anabolic steroids - in all the samples taken. However, we saw the normal natural profile of endogenous steroids. They were there but there was nothing in the way of prohibited at all times anabolic steroids.

Deputy Paul Kehoe: I have one last question for Mr. Egan. He is retiring shortly and I wish him the very best of luck and health and everything that goes with that. When he is on his way out and reflecting on his work in the IHRB would he consider this to be transparency? This issue will not go away. I know he is answerable to the Comptroller and Auditor General and the accounts have to be publicised. For the ordinary person, €10 million is a lot of money. He does not have to say what his salary is or what his retirement package is. Perhaps he will want to share with us today what the packages of other employees are. I have staff in my office. Everybody in the Taoiseach’s Department and almost every other public sector body has to give full details of all packages and salaries. When Mr. Egan is on the way out, will he make a recommendation that he would have no issue with this and that there would be full transparency for the good of the horse racing industry?

I am a huge supporter of the horse racing industry. I have been accused of being a mouthpiece for everybody and nobody over recent weeks. I want to put it clearly on the record. I am a mouthpiece for absolutely nobody. I have seen the greyhound industry go the way it went. I would love to get it back to where it was. I am a huge supporter of it. I genuinely do not want to see the horse racing industry going the same way as other industries. We have a strong horse

racing industry at present. I have significant questions that I want answered. Does Mr. Egan have an issue with an independent board coming in and examining the entire IHRB organisation?

Chairman: Mr Egan has terms and conditions of his employment. Whether we agree with them, they are what they are. The committee has a job with regard to his replacement. We can make recommendations to the Minister about transparency in future.

Deputy Paul Kehoe: I accept that.

Chairman: Mr. Egan is not obliged to answer questions on his salary.

Deputy Paul Kehoe: Perhaps Mr. Egan will reflect on this as a recommendation when he is going out the door and leaving the note in the drawer of his desk for the next person taking over. The committee also has a job to make recommendations to ensure there is transparency wherever public money is spent.

Senator Daly abstained previously. I am running out of time and I invite him to contribute if he wants to do so. I left him short of time on the previous occasion.

Senator Paul Daly: I wanted to contribute at the end of the previous meeting because one of the questions I had asked was not referred to in the replies. There is probably more of a need for the question since then. We know we are here because of articles and accusations that have been made. Last week, we heard strong evidence from the witnesses and then on Sunday another article was published refuting much of what had been said the previous week. Will this game of tennis go on?

Yesterday evening, committee members received an email, which has been mentioned, from a whistleblower. It is very incriminating. As a racing person I can see the reputational damage being done to the industry by this over and back and these accusations and counter-accusations. Are the governing, administrative and regulatory bodies considering an inquiry into this to get to the bottom of it once and for all? The industry needs to get back the positivity it had previously. All of the claims and allegations are coming from people in the industry. The witnesses have authority. We need to get to the bottom of this. If needs be, would they consider it appropriate to take disciplinary action against those people who are doing damage to the industry if their accusations are incorrect but would do a massive good deed for the industry if there issues were proven correct?

Mr. Brian Kavanagh: The inquiry referred to by the Senator is going on daily. The IHRB has daily contact with trainers and licence holders. The industry has been greatly focused on this issue since it arose. We had a special HRI board meeting earlier in the year where Mr. Egan and Dr. Hillyer presented. This is not an area where we can be complacent. We have come here to try to answer every question put in front of us. We have come here to try to explain the systems, as the Chair said at the start, and outline what systems are in place and whether they are up to international standards. We have explained that all winners in Ireland are tested. This is approximately 2,500 horses. We have explained that a further number of non-performing horses on the tracker are also tested. We have also explained that 25% of testing is out of competition and away from the racecourse. This includes horses at all times. We have indicated that samples are tested in internationally accredited laboratories. The committee has heard from Dr. Pearce about that laboratory. We have explained that Ireland operates to the highest international standards in this area.

We have endeavoured to answer questions on the six cases raised in the media on which the committee has heard evidence today. We have answered questions about rumours of injunctions. It has been clearly stated there are no injunctions. Dr. Hillyer is available to answer any question the committee has on the Zilpaterol case that was addressed.

The industry is having an inquiry on an ongoing basis. How the IHRB relates with licence holders is a matter for the IHRB. We are determined to get to the bottom of this. All we can do is put forward the facts as we see them and try to answer questions. As long as the committee wants to ask us questions we will endeavour to answer them. The inquiries are current and ongoing. The trainers' association came in today to answer from its perspective. I understand the Department will come before the committee next week. There is great concern in the industry regarding these issues. As I have said, it is important to our international reputation. All we can try to do is present the facts as we see them from our point of view.

Mr. Denis Egan: As I said at the start we were pleased we were invited before the committee to put our side of the story out there. I fully endorse everything Mr. Kavanagh said because much of it relates to us. We deal in facts. I am aware from what I have heard today that the committee has been contacted by various people with certain information. We would welcome the committee passing this information to us on an anonymous basis and we will deal with it. We will follow up on anything the committee has. It is in everybody's interests that racing remains as clean as possible. We have heard the views of the trainers' association from Mr. Grassick and Mr. Halford. They are not aware of anything. We are certainly not aware of anything. If the committee has any information we would welcome it. I thank the committee for the opportunity.

Chairman: Unfortunately we have gone over time.

Senator Rónán Mullen: I have a few questions and I did not get an opportunity.

Chairman: I have tried to be as fair as I could to everyone. Senator Mullen spoke on the previous occasion to question these witnesses.

Senator Rónán Mullen: So did three other speakers who got a second bite of the cherry today. I only have a few short questions that arise out of today's proceedings.

Chairman: I have three or four more speakers who also want to get in. Unfortunately it is out of my control. We have a two-hour session and that is all we can have.

Senator Rónán Mullen: That is not a satisfactory hearing, with respect. There are outstanding questions we need to ask our guests, some of them thrown up by comments they have made. I ask for a resumption of this session as we did previously.

Chairman: I have tried to be as fair to all members of the committee as I can. I have done everything I can within the timeframe to let people in. In fairness to the witnesses, they have come back for a second opportunity. I went through the first speakers who had not spoken the previous day. I gave them an opportunity. I know some of them got in at second time but----

Senator Rónán Mullen: Deputy Carthy spoke on the previous occasion and he was the first to speak. We had Deputy Kehoe.

Chairman: I ask Senator Mullen to respect the Chair.

Senator Rónán Mullen: We had Senator Daly.

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Chairman: Senator Mullen please respect the Chair.

Senator Rónán Mullen: With respect, there are unanswered questions.

Chairman: Senator Mullen please.

Senator Rónán Mullen: I am only asking whether it would be possible-----

Chairman: Senator Mullen please.

Senator Rónán Mullen: -----to ask our guests to come in again so we can conclude the questioning.

Chairman: I ask Senator Mullen to respect the Chair please.

Senator Rónán Mullen: I do respect the Chair. I am asking him to do something. I am asking him to make a decision so that all of the questions are heard.

Chairman: We have had extensive engagement with the witnesses. We have a further meeting on this and we will have a full discussion on it as a committee on how we will proceed and make recommendations to restore confidence in the industry.

Senator Rónán Mullen: I am afraid questions will remain unanswered if the Chair ends it at this point with this particular cohort of guests.

Chairman: I have no choice but to close the session. I am under orders from the Ceann Comhairle to have a two-hour session which we have now gone over. I have done my best, as Chair, to be fair to all the members of the committee.

Senator Rónán Mullen: I am asking you to adjourn and have a further session so that all the questions can be ventilated. I am not asking you to continue beyond the allotted time today.

Chairman: We have another session with the Department on this. We will then be having a discussion as a committee as to what recommendations we will make and we will decide at that stage what we need to do. On behalf of the committee, I thank the representatives of Horse Racing Ireland and the Irish Horseracing Regulatory Board for appearing before us again and engaging with us on this important issue. I propose that we hold a private meeting on Micro-soft Teams tomorrow morning Wednesday, 14 July, at 9.30 a.m. Is that agreed? Agreed. That concludes our proceedings for today. The committee is adjourned until 9.30 am on Thursday, 15 July, when we will have pre-legislative scrutiny of the animal health and welfare (amendment) Bill 2021.

The joint committee adjourned at 5.41 p.m. until 9.30 a.m. on Thursday, 15 July 2021.