

Responses to Supplementary Questions (33)-(114)

Dear Committee,

I acknowledge receipt of Supplementary Questions (33)-(114) and confirm that I provided a response to Supplementary Questions (1)-(32) on 17 September 2024.

I have the greatest of respect for Parliament and the important work of this Inquiry, as set out in the Terms of Reference. However, as was the case in respect of Supplementary Questions (1)-(32), the majority of Supplementary Questions (33)-(114) are outside the Terms of Reference of the Select Committee into the Proposal to develop Rosehill Racecourse.

I also consider it important to repeat my evidence on 9 August 2024 that persons are using this Inquiry to smear my name under the protection of parliamentary privilege and that there is a campaign in this Inquiry “to get rid of me” (transcript page 55). The trivial, nitpicking and vexatious nature of the majority of Supplementary Questions (33)-(114) confirms my concern.

Other than Supplementary Questions (51) and (74), the remaining Supplementary Questions are outside the scope of the inquiry, are objectionable and objected to. They have no relevance to the inquiry’s terms of reference and lack any materiality or substantiality. They are bordering on triviality to the extent that they are vexatious in nature. The cherry-picking into operational minutia is neither necessary nor appropriate. Accordingly, I formerly object to answering these questions and seek your ruling to exclude them entirely in accordance with Part 2 of the *Committees Rules, Resolutions and Memberships*.

It should be identified that some of the questions are so patently absurd and devoid of fact that it is difficult to envisage how they could reasonably have been included as Select Committee questions. A few examples are set out below:

Supplementary Question 42

The Committee has received credible evidence of you, or if you weren’t available in peak NRL periods, Mr. Peter Sweney, taking unfinished stewards inquiries and determining the outcome even though you, or Mr. Sweney hadn’t been involved in the stewards inquiry? Is this the proper role of a Racing NSW CEO or Legal Counsel?

Response:

As stated above, this question is outside the scope of the inquiry, is objectionable and objected to. There are no instances of Racing NSW General Counsel Mr Pete Sweney or I, “taking unfinished stewards inquiries and determining the outcome”. It is quite remarkable that the question maintains that there is credible evidence of this having occurred. These allegations are completely baseless and have no relevance to the inquiry’s terms of reference.

Supplementary Question 90

Were you notified of the serious car accident (caused by another car T-boning him) experienced by Steward Xavier Dalton at 1.00pm on 22 July 2024 in Goulburn after he left a trainer’s premises?

What action did you take with regard to Mr Dalton then getting home to Canberra given the injuries he suffered and the damage to his car? Why did Racing NSW refuse him a taxi and told him to catch the train?

Response:

As stated above this question is outside the scope of the inquiry, is objectionable and objected to. Further, it is an example of dwelling into operational minutia that is also factually incorrect. At the outset, I had no involvement in the transport arrangements for Mr Dalton which were agreed between Mr Dalton and his line manager, Racing NSW Chairman of Stewards, Mr Steve Railton. Mr Dalton did not request to have a taxi from Goulburn to Canberra so the question as to why did Racing NSW “*refuse him a taxi*” has no factual foundation. In fact, he did get a taxi to Goulburn Railway Station and caught a train to Canberra. This was agreed between Mr Dalton and his manager, without my knowledge as it was decided that it was the most appropriate and efficient way to travel from Goulburn to Canberra. On arrival at Canberra Railway Station, Mr Dalton caught a second taxi home. Mr Railton checked in with Mr Dalton later the same day as evidenced by the message exchange below:

iMessage
Mon, 22 Jul at 5:30 PM

Just checking up on how you're feeling Xavier.

Mon, 22 Jul at 6:44 PM

Got home fine Steve, thanks. Only feeling a little sore at the moment yet I'll see how I am tomorrow morning 🙌

Ok thanks for letting me know Xavier

Supplementary Question 78

What role did you play in overturning the Stewards decision to refuse Mr Flower a stablehand's licence?

Response:

As stated above this question is outside the scope of the inquiry, is objectionable and objected to. Mr Flower was never granted a stablehands licence. Further, it is the Licensing Committee, not the Stewards, that made the recommendations in respect of this application. I did not overrule a decision of the Licensing Committee in respect of Mr Flower at any time. In fact, I accepted their recommendation. Again, the question is based on factually incorrect information.

Supplementary Question 69

The Committee has received evidence of a recent matter where an ATC Clerk of the Course posted on social media his opposition to the sale of Rosehill and then Racing NSW investigators visited his property to investigate the wellbeing of his horses – an act of

intimidation simply because a race lover said he doesn't want a racecourse sold. How can Racing NSW operate this way?

Response:

As stated above this question is outside the scope of the inquiry, is objectionable and objected to. The assertion that an ATC Clerk of the Course had his property investigated because he had posted on social media his opposition to the sale of Rosehill Racecourse is so incorrect to the point of being extraordinary. Firstly, I was not aware of that person's opposition to the sale until I read Supplementary Question (69).

The above examples are provided to highlight the unfairness of some of Supplementary Questions (33)-(114) and suggest that any complaint or hearsay is taken as credible with no attempt to verify them or afford procedural fairness.

As stated above, the questions that are outside the scope of this inquiry are objectionable and objected to. Accordingly, I formally object to answering these questions and seek your ruling to exclude them entirely. However, in the interest of assisting the inquiry, I will address the issues broadly. I will answer the questions which are within the terms of reference and will expand upon my letter dated 18 September 2024 to the Chairman of the Select Committee, the Hon. Scott Farlow.

Responses to questions outside Terms of Reference

Integrity and licensing matters

In respect of integrity and licensing matters, I repeat and rely upon my sworn evidence on 9 August 2024, and the Responses to Supplementary Questions (1)-(32) provided on 17 September 2024 and as detailed below in respect of Mrs Walker. I also note that Racing NSW Chair, Dr Saranne Cooke, gave evidence to the Select Committee on 12 September 2024 confirming my delegation on integrity and licensing matters.

As set out in those documents and evidence, I have the delegation of the Board of Racing NSW in respect of all integrity, licensing and disciplinary matters. However, procedurally, I do not involve myself in Stewards inquiries and the assertion that I, or any executive under my instructions, have interfered with Stewards inquiries is again expressly denied.

As to licensing matters and show cause proceedings, I am the decision maker in respect of those matters under my delegated authority. The Licensing Committee does not have the delegated power to make decisions on licensing. However, procedurally, it is the licensing department and Licensing Committee which reviews all applications and, if necessary, interviews applicants in order to ensure that they are provided with natural justice and procedural fairness. A recommendation is then made to me as the relevant decision maker with the delegated authority of the Board of Racing NSW. This process is entirely consistent

with proper corporate governance and the delegations in place under the *Thoroughbred Racing Act 1996* (NSW).

I have outlined the process that applies in respect of Show Cause matters above in my response concerning Mrs Walker. Again, that process is entirely consistent with proper corporate governance and the delegations in place under the *Thoroughbred Racing Act 1996* (NSW).

I also confirm that there are two statutory appeal processes. The first process is an appeal to the Racing NSW Appeal Panel in respect of decisions of the Stewards. The second process is an appeal to the Racing Appeals Tribunal in respect of a decision of Racing NSW (which I make under my delegated authority) and decisions of the Racing NSW Appeal Panel. Any appeal to the Racing NSW Appeal Panel or the Racing Appeals Tribunal is a rehearing and the appellant is able to represent his or her case. I do not recall any decisions of the Racing NSW Appeal Panel or the Racing Appeals Tribunal in the last ten years where either of those appeal bodies have been critical of the processes adopted by Racing NSW on Stewarding and Licensing matters, even in circumstances where the appeal body has upheld an appeal by a participant.

For the avoidance of doubt, I expressly deny any allegations of impropriety or undue influence in respect of integrity and licensing matters either as contained in Supplementary Questions (33)-(114) or at all.

Human resources functions

As set out in the Response to Supplementary Question (22) provided on 17 September 2024, the human resources functions are performed across the organisation. Line managers are responsible for recruitment, performance review and promotions as well as the ongoing harmonious relationship between employees in their departments and the morale of their teams. The legal department of Racing NSW also provides assistance when necessary in conjunction with an external employment law specialist including, as set out in the response to Supplementary Question (24) provided on 17 September 2024, when there is a complaint or concern.

The success of this whole of organisation approach in creating a productive, harmonious and collegiate working environment is demonstrated by the high levels of retention and tenure of staff. In this respect, as at 30 June 2024, 79% of employees have been with Racing NSW for over 2 years, with 51 % having been employed over 5 years (of which 28% have been with Racing NSW for over 10 years).

Further to that response, all staff members are employed and promoted on merit. As stated in my response to Supplementary Question (56), to assert that women have been promoted because they are good looking is one of the most degrading and disrespectful accusations that I have witnessed.

Accounting practices

With regards to Racing NSW's accounting practices, as I confirmed in my evidence on 9 August 2024, Racing NSW's accounts are independently audited in accordance with the Australian Auditing Standards and the accounts are prepared in accordance with the Australian Accounting Standards.

The accounts are examined and considered by the Racing NSW Audit and Risk Committee (**ARC**). The ARC includes three Board Members and includes qualified accountants with

many years' experience. I do not sit on the ARC. Further, I have no communications whatsoever with the independent auditor who reports directly to the ARC. The ARC has the responsibility of examining and considering the annual accounts and making a recommendation to the full Board of Racing NSW to approve the audited accounts each year.

Future proofing the industry

Racing NSW's property purchases are part of its strategy to future proof the NSW Thoroughbred Racing Industry. This strategy has included the procurement of properties for a number of specific purposes as follows:

- Four equine welfare properties have been acquired to ensure that Racing NSW can at all times maintain a safety net for the industry for any horses whose owners have been unable to find them a suitable new home on retirement;
- Racecourses have been acquired and in each instance leased back to the Race Club on a peppercorn lease. This includes acquiring racecourses previously owned by third parties and local councils where the long term leases to race clubs could not be guaranteed. These purchases by Racing NSW ensure that these lands remain as racecourses;
- Stables and training facilities adjoining racecourses have been acquired to ensure that this critical infrastructure remains in the industry as a productive asset generating trained starters. Also, any houses on these properties acquired are leased to trainers or their staff. This strategy includes a number of properties that had stables previously used for training, but had become vacant and were at risk of either falling into disrepair or being sold for non-racing purposes. In total, 114 stables in the Metropolitan/Provincial area have been brought back on-line and leased out to trainers through these purchases which has further improved horses in training and importantly field sizes.
- Two hay farms have been purchased which have provided low-cost feed for horses at Racing NSW's equine welfare properties and also generating additional non-wagering revenues.
- Two training properties (Bong Bong Farm in Moss Vale and Lynton in Goulburn) have been acquired that were at risk of being lost to the racing industry if sold for development purposes. The purchase price of these properties was only a fraction of the value of the racing infrastructure acquired, which has been retained as a productive asset of the industry. Bong Bong in particular is producing a significant number of trained starters and boosting metropolitan field sizes, whilst Lynton has been leased as a pre-training facility to expand capacity in this important part of the industry supply chain.
- Scone TAFE was acquired to provide a base of operations for face-to-face training by Racing NSW's Registered Training Organisation. This purpose-built education facility is set amongst a leading training centre and is already being utilised by hundreds of students each year.

Collectively, the purchases of properties has ensured that the NSW Thoroughbred Racing Industry maximises the number of horses in training and has the assets to deliver on its strategic objectives for welfare and training. Further, the revenue generated from these properties and the substantial capital growth provides further long term security for the industry.

In addition to the above strategy to procure properties, Racing NSW has also set aside the below provisions to future proof the industry going forward:

- A club sustainment provision of \$36 million is in place as at 30 June 2023. This provision is to provide ongoing financial support to race clubs, such as when the annual TAB distributions fall below the historic levels. A total of \$50 million has been distributed from this fund since it was established in 2019. These payments are on top of the payment of increased prizemoney to race clubs by Racing NSW which is \$267.84 million per annum
- A prizemoney sustainability provision of \$106 million is in place as at 30 June 2023. This provides for any substantial decrease in wagering revenues, so as to ensure that the current minimum prizemoney levels can be sustained during any such downturn.
- A Capital Expenditure provision of \$116 million is in place as at 30 June 2023. This is to provide funding for critical industry infrastructure such as racecourse and training track upgrades, stable construction or procurement of additional training facilities.
- A Horse Welfare provision of \$19 million is in place as at 30 June 2023. This is to provide for any additional horse welfare expenditure into the future, over and above what is being provided through the 1.5% prizemoney deduction.

These provisions provide for the industry into the future and ensure that there is no immediate risk of a shortfall of funding in these critical areas

Promotion and protection of the NSW Thoroughbred Racing Industry

Forging strong relationships with stakeholders is crucial to the overall strategy of promoting and protecting the NSW Thoroughbred Racing Industry. Racing NSW prides itself on its stakeholder engagement, including media and government relations. Strong relationships in racing are particularly important because of the unique dynamics of the industry and its reliance on public interest, wagering, sponsorships and maintaining employment for the 50,000 plus participants.

Any person who suggests that Racing NSW engages in 'influence buying' has no understanding of the importance of relationships in managing a major industry.

In the letter dated 6 October 2023 to _____, Racing NSW rightfully raised concerns about the negative campaign against Racing NSW and its efforts to harm racing through the publication of an anti-racing article. The article focused on the support for racing arising directly from Racing NSW hosted functions. Throughout this inquiry, there has been significant criticism levelled against Racing NSW for its use of the Director's Room at Royal Randwick. The Directors Room has provided Racing NSW with access to a unique, hospitality venue to invite guests, including sponsors, representatives of Government and media to showcase the sport and develop crucial communication lines with key stakeholders. For example, this enabled the racing industry to continue its operations during COVID. The correspondence to _____ on 6 October 2023 accords with my duty to protect the 50,000 plus participants, including their livelihoods and act in the best interests of the industry as a whole.

The introduction of the Everest Carnival was a key priority for Racing NSW to develop its customer base and grow the revenues to the NSW industry. The success of the spring carnival has secured both the size and quality of Sydney Metropolitan race field sizes. Punters now remain engaged throughout the spring carnival and beyond, increasing wagering revenues and boosting turnover growth year-round. Another Racing NSW initiative

is The Big Dance race meeting introduced in 2022, which coincides with the Melbourne Cup. This has provided a feature race day at Royal Randwick further tapping into the younger demographic and generating significant increases in turnover in the lead up races, due to the increased promotion and awareness. Due to these initiatives, Racing NSW has been able to substantially increase prizemoney with the other States following suit.

The value of publicity generated by the Everest and other carnival races is valued in the tens of millions of dollars each year. The editorial coverage provides the industry with a level of public exposure that has never been achieved before. This is also achieved with the Big Dance, through its country cup's structure and the Golden Eagle through the charity partnerships driving editorial coverage that continues to propel the industry forward.

Racing NSW will continue to promote and protect the industry through establishing and maintaining strong relationships with various bodies, including media and Government to protect the industry. This is particularly important, having regard to the unique challenges the racing industry is facing with a decline in wagering and proposed restrictions on gambling advertising. These efforts are to ensure the livelihood of the 50,000 plus industry participants.

I take seriously my responsibility to promote and protect the NSW Thoroughbred Racing Industry.

Chairman of Australian Rugby League Commission (ARLC)

It is well known that I am the non-executive Chairman of the ARLC and have been a director of the ARLC since March 2018. The success of both sports during my tenure is testament to my effectiveness in performing both roles. During the time that I have been on the Board of the ARLC, I have personally procured over \$100 million per annum in new revenues for the NSW Thoroughbred Racing Industry. Further, during the COVID-19 pandemic, when the majority of industries and operations came to a standstill globally, the NSW Thoroughbred Racing Industry was the only sport and one of the only industries that continued throughout the pandemic, ensuring the livelihood of its 50,000 plus participants. Further, the NRL was the first Australian football code to resume playing, when it did so on 28 May 2020, and provided an entertainment lifeline to many Australians that were subject to stay at home orders.

Responses to questions within Terms of Reference

There are two questions, being Supplementary Questions (51) and (74) that are within the Terms of Reference.

Supplementary Question 51

Why didn't you seek Racing NSW Board approval of the major policy positions you put to the NSW Cabinet Office on 17 November 2023 – that is, Racing NSW support for the sale of Rosehill, the Rosehill sale proceeds being “reinvested to benefit the racing industry as a whole”, the need to upgrade the skills and quality of the ATC Board, scepticism about the future of Warwick Farm and the need for additional land to make the Horsley Park training facility viable?

Response:

Mr Russell Balding AO (who was the Chairman of Racing NSW at the time) and I attended a meeting with Mr Will Murphy on Friday 17 November 2023. That meeting was arranged at the request of the Australian Turf Club to provide Mr Balding with a briefing on the ATC's Unsolicited Proposal. Mr Balding requested that I attend with him.

The Minutes of the meeting expressly refer to it being a discussion and at no stage did Mr Balding or I make any commitments on behalf of Racing NSW in respect of the Proposal to Develop Rosehill. We provided a full briefing to the Board of Racing NSW at its Board meeting on the following Tuesday, 21 November 2023.

Supplementary Question 74

Which organisations are undertaking the due diligence for the sale of Rosehill? How much has Racing NSW spent so far, and what is the estimated full cost for this exercise?

Response:

The corporate advisory firm, Moelis Australia, has been engaged to undertake the due diligence in respect of the proposal for the sale of Rosehill including funding options and revenue and alternate sites for racing. Moelis Australia has engaged a number of other consultants which include a valuer, urban planning consultant and environmental consultant. Confidentially, Moelis Australia is to receive a fee of \$250,000 for the due diligence which, as stated above, includes funding options and revenue and alternate sites for racing.

Further responses on false and defamatory Supplementary Questions as set out in my letter dated 18 September 2024 to the Chairman of the Select Committee, the Hon. Scott Farlow

Supplementary Questions (79)-(80) in respect of

Although under oath I provided evidence that I have never received a complaint against me from a staff member or have had the need whatsoever to execute a Non-Disclosure Agreement (**NDA**) with a staff member, Supplementary Questions (79)-(80) make a number of baseless allegations in respect of a former employee of Racing NSW,

The innuendo regarding _____ is completely false and fabricated. _____ left on good terms with Racing NSW and never entered into a NDA, nor was one requested or required. The baseless assertions that she received a payout and entered into a NDA are completely false and have no substance whatsoever. A simple check with _____ would have resulted in this defamatory and false assertion not being made.

To highlight the misinformation, _____ worked in a separate area of Racing NSW's office and we did not have day to day contact. In the 6½ years that _____ worked at Racing NSW, I think I met with her twice, both times with other employees from that department and her line manager, who I would communicate with if I had any questions relation to that department.

When [redacted] resigned, there was no payout other than her unused annual leave. The fact that [redacted] left on good terms is demonstrated by the contemporaneous evidence in the attached emails, which are set out below for completeness. Those emails prove that this assertion is completely fabricated and is clearly being peddled by a misinformed or malicious individual.

Again, the person that I feel sorry for is [redacted] who has been unfairly and wrongly dragged into a smear campaign against me.

From:
Sent: Friday, 17 July 2015 5:03 PM
To: Peter V'landys
Subject: Racing NSW

Dear Peter,
Although I have a few more days of working at Racing NSW I just want to say how much I have enjoyed my employment at Racing NSW. It has given me a wealth of experience and knowledge in so many aspects of racing that I could not have gained elsewhere and also to work with so many people who are as passionate as me about the thoroughbred industry. I am not too sure where life takes me next but as the industry is in my blood (so to speak) I will at least be at the track to watch this great sport.

Regards

From: Peter V'landys
Sent: Friday, 17 July 2015 5:06 PM
To:
Subject: RE: Racing NSW

Hi
Thanks for your email.
You still have time to change your mind.
Cheers
Peter

From:
Sent: Monday, 20 July 2015 8:26 AM
To: Peter V'landys
Subject: RE: Racing NSW

Dear Peter,
Thank you but probably time for me to look for a new challenge. If in the future Racing NSW has any particular projects where my experience would assist I would happy to discuss.

Regards

Supplementary Question (56)

I can only assume that this submission is made by a misogynist. Although no detail is provided in the supplementary question, every woman that has been promoted in Racing

NSW has been highly qualified and was promoted on merit. Racing NSW makes no apology that, whenever possible, it has presented women with opportunities to hold management positions.

To assert that these women have got the promotion because they are good looking is one of the most degrading and disrespectful accusations that I have witnessed.

Again, I can only think that these allegations are made by a disgruntled ex-employee who has been replaced by a woman.

Supplementary Question (75)

Again, to leave this disparaging and untrue contention that Wolseley Corporate and Centuria Capital Limited were used in the due diligence in respect of the proposal to develop Rosehill Racecourse cannot occur. The due diligence proposal went out to tender and neither Wolseley Corporate or Centuria Capital Limited applied as part of the tender process nor have they been involved in the subsequent due diligence. This contention is a slur upon a Racing NSW Board Member that is unnecessary and completely false.

Supplementary Question (38)

Supplementary Question (38) infers that my evidence on oath on 9 August 2024 that I have never interfered in Stewards Inquiries was not true. This inference is incorrect and cannot be sustained for the reasons set out below.

At the outset, it is important to note that, in accordance with proper corporate governance for a regulator and the *Thoroughbred Racing Act*, I have the delegation of the Board of Racing NSW in respect of all integrity, licensing and disciplinary matters. Further, as demonstrated by the facts below, Mrs Walker's case is of a person who was found to not be a fit and proper person to hold office due to unacceptable conduct and behaviour towards employees of the Mudgee Race Club and industry participants including harassment. This was discovered after that person had allegedly bullied a young female staff member at Racing NSW.

The facts in respect of Mrs Walker are as follows:

- The Racing NSW Stewards opened an Inquiry into her conduct following reports of her bullying and harassing people, including a young female staff member at Racing NSW and staff members of Mudgee Race Club, and also non-compliance with conditions arising from a previous Show Cause Hearing into Mudgee Race Club.
- At the conclusion of the Inquiry, the Chairman of Stewards recommended to me that Mrs Walker be required to show cause as to whether she was a fit and proper person to be a director of a NSW thoroughbred racing club. As noted above, I have the delegation of the Board of Racing NSW in respect of all integrity, licensing and disciplinary matters and it is standard practice for such recommendations to be provided to me. The Stewards do not issue Show Cause notices in respect of fitness and propriety as that is a power of Racing NSW, exercised by me as Chief Executive under my delegated authority.
- I accepted the recommendation of the Chairman of Stewards and sub-delegated to a Show Cause Committee the responsibility of conducting the Show Cause Hearing. Mrs

Walker commenced Supreme Court proceedings challenging Racing NSW's power to issue a Show Cause Notice to her and decide whether she was a fit and proper person. Mrs Walker lost those Supreme Court proceedings.

- The Show Cause Committee, made up of independent persons including two persons that usually sit on the Appeal Panel (one of whom is a legal practitioner who regularly presides on appeals), then proceeded to conduct the Show Cause Hearing. The Show Cause Committee recommended that Racing NSW determine that Mrs Walker was not a fit and proper person to be a director of a NSW thoroughbred racing club because of her unacceptable conduct and behaviour towards employees of the Mudgee Race Club and industry participants including harassment. The Board of Racing NSW accepted that recommendation.
- Mrs Walker appealed the decision of Racing NSW to the Racing Appeals Tribunal but later withdrew that appeal. The Racing Appeals Tribunal is appointed by the Minister for Racing upon the recommendation of the Attorney-General. In order to be appointed to the Racing Appeals Tribunal, a person needs to be a NSW judge, a retired judge or a person qualified to be appointed as a Judge of the District Court. At a hearing before the Racing Appeals Tribunal, the appellant is able to represent his or her case and the Racing Appeals Tribunal then determines it afresh, which in the case of Mrs Walker, would have meant that the Racing Appeals Tribunal would have then determined whether she was a fit and proper person. However, as stated above, Mrs Walker withdrew her appeal.

As is evidenced by the above facts, the circumstances in respect of Mrs Walker do not support the unfounded allegation that I interfere with Stewards Investigations and Inquiries. In fact, the evidence is to the contrary. Supplementary Question (38) seeks to attach some suggestion of impropriety to the comments of the Chairman of Stewards stating '*we'll consider the evidence, make any recommendations that we think are appropriate and then Mr V'landys will then consider as to whether or not he agrees with those recommendation*'. As is clear from the circumstances I have set out above, that comment was in fact an accurate reflection of an orthodox process. My acceptance of the recommendation of the Chairman of Stewards at the conclusion of the Inquiry is consistent with corporate governance required under the *Thoroughbred Racing Act 1996* (NSW).

Supplementary Questions (99)-(100)

These questions relate to alleged "*monitoring*" of staff. Racing NSW does not actively monitor staff as alleged in these questions. However, to be clear, there have been instances where Racing NSW has, as part of an investigation arising from allegations by a whistleblower (in accordance with the Whistleblower Policy that has been provided to the Select Committee) about a certain staff member, looked at historical web activity relevant to that investigation. I referenced this specifically at page 48 of the transcript of the hearing on 9 August 2024.

Accordingly, there is nothing sinister or improper about such action taking place in accordance with an investigation arising from allegations made by a whistleblower. Noting that the investigation in question identified that the staff member was gambling during work hours in contravention of Racing NSW's Policies and Procedures.

I again stress that Racing NSW does not monitor web traffic.