

instance, it has not been recognized in Auckland. The practice there has, however, now been drawn into accord with the practice elsewhere, and the appearance of counsel is permitted. We agree that counsel should be allowed as a matter of right.

163. That an appeal should, in the interests of expedition and economy, be retained as far as possible in the local area in which the circumstances occur giving rise to the proceedings seems desirable. We have no evidence before us as to what proportion of appeals terminate with the district committees and what proportion goes on to the Conference judges, but probably a great number of appeals end with the district committees. It would seem, therefore, desirable that the district committee should retain its appellate function. Constituted as it is, it is well qualified to deal with such appeals. It consists of ten members, of whom five are elected or appointed by the metropolitan club of the district, whilst five are elected by the district clubs in that district. It thus represents an amalgam of municipal and country racing interest and experience. The number does not seem excessive, as the same reasons which justify a jury of twelve are reasonably applicable to the number of members of the committee which should hear an appeal to the district committee. On the other hand, it does seem certain that the quality of the judicial work of the honorary stewards throughout any given district is likely to vary considerably. Their work is done in a racecourse atmosphere and immediately after the occurrences to which it relates. Then, too, one would expect the judicial work in rural areas where inquiries are infrequent and members of the judicial tribunal have little opportunity of acquiring experience to be somewhat unequal in its result.

164. To overcome all these difficulties and to maintain a uniform standard, we recommend that the New Zealand Racing Conference should appoint a rota of judges for each metropolitan district and that one of the judges so appointed should sit as chairman of the judicial committee at every meeting held in that metropolitan district. We concur with Mr. W. J. Broughton, the president of the Jockeys' Association, that it is preferable that legal practitioners with a knowledge of racing should be appointed as the chairmen. By their training they are accustomed to weighing evidence and estimating its value. They would, in addition, be immediately sensible of any physical incapacity which might at the moment be prejudicially affecting any one against whom a complaint had been made. We mention this as it was suggested by a witness in Auckland that he had seen jockeys charged with offences and required to give explanations when in a state of physical exhaustion. The statement was uncorroborated, but it suggests a possible source of injustice against which it is wise to provide protection.