

165. Whilst on the subject of the work of the judicial committees of the clubs, it may not be inapposite if we express an opinion as to the principle upon which such committees should proceed. The maintenance of the highest standard of integrity is so essential to the welfare of racing, and the maintained confidence of the public in the essential honesty of the contests is of such importance, that it is essential that all judicial authorities, whilst acting impartially and judicially, should also act courageously, and if necessary, with sternness. Judicial inquiries of this kind are not necessarily akin to criminal trials, for members of judicial committees have experience of racing—they have seen the race run and have first-hand knowledge of what transpired during it, and they are therefore in a position before they embark upon an inquiry to know whether a race has been run upon its merits or not, and if not, whose actions have contributed to the absence of merit.

166. To prove an absence of *bona fides* positively, having regard to the circumstances and to the *esprit de corps* which necessarily exists between men of the same occupation, it is, except on rare occasions, impossible to prove a malpractice by positive evidence. In such circumstances judicial committees would be justified in inferring guilt in the absence of any satisfactory explanation of proven conduct inconsistent with honesty. An analogy in somewhat similar circumstances can be found in the criminal law. The essential feature is that wrongdoing must be suppressed in the interests of the safety of the jockeys as well as for the maintenance of public confidence. This will be much aided if as we recommend the practice be generally adopted of taking moving films of races at various points as is done at Auckland, and if the practice of appointing patrol stewards with a knowledge of and experience in riding becomes more general.

SECTION 2.—CONDUCT OF RACING

167. To say that racing in New Zealand is as clean, if not cleaner, than in any other country is probably no exaggeration. The enforcement of regulations made by each individual totalizator club under section 33 of the Gaming Act, 1908, has resulted in New Zealand race-courses being freer of undesirables than courses in any other part of the world. That, however, is not to say it is devoid of objectionable features, and it would be doing a disservice to racing to blind oneself to the fact that things are done which in no way redound to the credit of those concerned, and, incidentally, things which, if not unflaggingly sought out and curbed, must inevitably react to the great detriment of racing.

168. A rather disturbing feature of our sittings was the apparent complacency of the administrators of racing and their tendency to doubt the existence of one major and to minimize the gravity of some