Memo

From: John Stevens, Manager of Government & External Relations
Ontario Veterinary Medical Association

Date: November 23, 2015

Subject: Notes from Meeting with OMAFRA and AGCO re Horse Racing Transition

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Background:

- As part of horse racing transition in light of the cancellation of the Slots at Racetracks Program, the provincial government announced in early 2015 that horse racing regulation, previously part of ORC's mandate, would transfer to the Alcohol and Gaming Commission of Ontario.
- To implement a merger between the two organizations, legislative changes are required. Given the rare opportunity presented by new legislation, OVMA worked with OAEP to develop three high-level suggestions for reform of regulations in horse racing to address some long-standing concerns of the veterinary community. Among the proposals:
    - An increased role for veterinarians in the governance of the organization;
    - The establishment of a panel of veterinarians to provide expertise to the governing board on equine welfare issues;
    - An end to dual licensure of equine veterinarians. Only CVO should have the ability to license veterinarians; and
    - Establishment of a formal consultation structure, requiring the organization to consult with stakeholders before making any rule changes.
- On November 18, 2015, OVMA and OAEP met with staff from OMAFRA/AGCO to discuss the above proposals. Meeting attendees:
    - Dave Phillips - Director of Strategic Engagement, AGCO
    - Doug Hood - Director, Strategic Policy & Planning, AGCO
    - Heather Harrison, Manager - Horse Racing Industry Transition Branch, OMAFRA
    - Allison Moore, Lead Veterinarian - Animal Health and Welfare Branch, OMAFRA
    - Chris Jones, Senior Program Analyst - Horse Racing Industry Transition Branch, OMAFRA.
    - Stan Henderson, OAEP President
    - Colleen Best, OVMA Equine Representative
    - Doug Raven, OVMA CEO
    - John Stevens, Manager of External and Governmental Relations OVMA
    - Mark Gemmill, OVMA President

Meeting Highlights:

- OMAFRA provided an update on the current status of the transition:
    - Ontario Lottery and Gaming will become the promoter of horse racing in Ontario
    - AGCO will become the regulator of racing, therefore ORC's mandate/activities will integrate with AGCO.
    - The legislation that has been drafted to date is simple and will keep issues related to the merger at a high level. Rather than a full review and reform of regulatory issues, the legislation will simply transition ORC's role as is and integrate it into the AGCO.
    - Full integration will take effect on April 1, 2016. Legislation is drafted and is awaiting approval from cabinet before being introduced.
    - After AGCO absorbs ORC's authority, it will work with stakeholders to determine a regulatory model that improves on ORC's efforts.
    - AGCO takes stakeholder engagement very seriously and has been involved in stakeholder engagement initiatives on other issues it has been addressing of late, including modernization of alcohol sales in Ontario, etc. They intend to take the same principals of engagement and apply them to horse racing.
    - In the coming months, once transition to AGCO has progressed, it will reach out to stakeholders to determine what the regulatory landscape should look like.
- OVMA/OAEP outlined the need for increased role of veterinarians in governance (board and veterinary advisory panel).
    - AGCO explained that its board composition is overseen by the province's Public Appointments Secretariat, which oversees appointments to all of the province's Boards and Commissions. Veterinarians can participate in PAS's processes.
    - There was significant interest in the proposed veterinary advisory panel. It was outlined by OVMA/OAEP as an internal consultation tool that AGCO can use when developing policy so that equine welfare issues are taken into account. The panel would review issues and provide opinion/suggested actions to the governing board, similar to OVMA's Large Animal Issues Committee, or CVO's various Committees.
        - OMAFRA/AGCO are interested in this proposal and it will be discussed further.
- OVMA/OAEP explained long-standing concerns regarding how ORC has consulted on rule changes in the past (it largely has not engaged in any meaningful consultation).
    - OVMA/OAEP proposed that the new entity establish policies requiring public consultation on rule changes, the results of which should be considered by the board and other decision-makers before making final decisions.
    - Ministry staff agreed that the previous practice of not consulting falls short of appropriate stakeholder engagement and expressed an interest in establishing structure for consultation.

- Finally, OVMA shared its concerns with the duplication in regulating the practice of veterinary medicine on horses involved in racing.
    - The *Racing Commission Act* did not specifically include oversight of veterinarians practicing on race horses. Over time and via various rulings, the ORC has become a de-facto regulator of veterinarians when they practice on racehorses. Therefore, in cases where a veterinarian has behaved inappropriately, they may find themselves being the subject of two parallel processes.
    - OVMA proposed that CVO alone should regulate veterinarians. Rules of Racing can be taken into account by CVO processes; just as the College is aware of different industry standards in different sectors (food vs. companion animals for example).
    - This issue will require considerable discussion, but OMAFRA and AGCO would be interested in addressing the issue.
    - While CVO alone should regulate veterinarians, there is acknowledgement that any veterinarians working on the backstretch would still need to be provided with passes permitting the veterinarian to be on the property.
- OMAFRA expressed in interest in discussing other issues such as non-regulatory equine welfare issues.
    - Such issues are important to OVMA/OAEP and they committed to discussing them internally to determine how best to provide OMAFRA with assistance (perhaps by referring OMAFRA to other OAEP committees).
- Finally, OMAFRA and AGCO stated that timing to discuss these issues is perfect as they will all need to be addressed once the official merger is further underway. Commitments were made all around to stay in close communication.