

A Guide to the Acceptable/Unacceptable Use of Inside Information

The purpose of this Guide is to provide examples of what constitute acceptable and unacceptable uses of Inside Information. It is not an exhaustive list, or a substitute for the Rules. Should there be any doubts about what is acceptable and unacceptable use of Inside Information, participants are advised to contact the HRA for clarification.

First and foremost, everyone needs to understand what Inside Information means. It is clearly defined in the Rules, and Owners, Trainers, Riders and Stable Employees should make sure that they, and any staff or agents they employ, read and understand the definition. They should also understand that Inside Information may include both fact and opinion.

Racing by its very nature is awash with Inside Information and there is nothing wrong with that in itself. It is important that Owners, Trainers, Riders and Stable Employees are clear about their responsibilities in ensuring that Inside Information is not misused.

Information in respect of a horse is the property of the Owner of the horse. Riders, Trainers, Stable Employees and others connected with the horse have a duty of confidence to the Owner and have a responsibility to safeguard Inside Information about the likely participation or performance of the horse in a race.

The following illustrate when the use of such information is acceptable or unacceptable.

(i) Acceptable uses of Inside Information for Trainers and Jockeys

There are some limited occasions where Jockeys and Trainers are permitted to receive money or other reward for placing Inside Information into the public domain. For example, providing that any fee is no greater than that which reasonably reflects the occasion and the status of the Trainer or Jockey concerned, a Trainer or Jockey may give information or express opinions on horses in races by the following methods:

- Through interviews and/or presentations conducted in the course of television or radio broadcasting;
- Through interviews to the press or other legitimate news gathering organisations for the purposes of publications, e.g. written articles, regular columns or websites.
- Addressing a specific group or groups eg, talks given to corporate sponsorship groups or in the context of corporate hospitality or stable yard public days.

It is also permissible for:

- Trainers to place information on publicly accessible telephone information lines or websites (whether for payment or not).

Trainers can, of course, use Inside Information about the horses they train for the purposes of personal betting that those horses will win.

Other examples of acceptable uses of Inside Information by Jockeys and Trainers include:

- Conversations about a horse in the ordinary course of business between its Trainer, Jockey, Owner or the Owner's Representative.
- Casual conversations about the chances of horses they train or ride with any one individual that do not involve any kind of reward, are not part of a series of conversations, and/or where it is clear that the person receiving the information will not use it for a corrupt betting purpose; but careless talk can get anyone into trouble and regular conversations of this kind outside the ordinary course of business run serious risks of being illegitimate.

(ii) Unacceptable uses of Inside Information for Trainers and Jockeys

This list again is not exhaustive and therefore, where there is doubt, Jockeys and Trainers should contact the HRA and seek clarity. Examples of unacceptable use include the following scenarios:

- Communicating Inside Information directly or indirectly to any other person for any material reward, gift, favour or benefit in kind, which is not in the public domain or is not provided for in the Rules of Racing unless the person is the Owner or the Owner's Representative.
- Any case where the Trainer/Jockey knows or suspects that the inside information is liable to be used for a corrupt betting purpose. The repeated or systematic passing of Inside Information (whether or not for reward) to the same individual (including another Jockey or another Trainer) is likely to give rise to suspicion that it is being used for a corrupt betting purpose.

Jockeys must refrain from having any involvement with tipping services.

It should also be noted that the following behaviour is not legitimate and could give rise to risks, or at least suspicions, of corruption, especially if regular or repeated:-

- Jockeys speaking to Owners about another horse they ride without the permission of that Owner.

(iii) Acceptable uses of Inside Information by Owners

In general terms, Owners own any Inside Information in respect of their horses and, as such, are in most cases at liberty to use the information unless it is used or suspected to be used for a corrupt betting purpose. For example, it is acceptable for an owner to use Inside Information about his/her own horse for the purposes of backing the horse to win. It is also acceptable for owners to place information on publicly accessible telephone information lines or websites (whether for payment or not).

(iv) Unacceptable uses of Inside Information by Owners

Owners are not allowed to lay their own horses to lose and must safeguard their information in respect of others using the information to lay horses to lose. This could include anyone working for an Owner in connection with the ownership of the horses such as a racing manager, secretary or driver.

(v) Acceptable uses of Inside Information by Stable Employees

Provided that there is no knowledge or suspicion that the Inside Information is liable to be used for a corrupt betting purpose, Stable Employees may:

- Use Inside Information on horses from their yard for the purpose of personally betting that those horses will win.
- Engage in casual conversations about the chances of horses in the yard where they work with any one individual that are not part of a series of conversations;
- Engage in conversations about a horse with the Trainer or the horse's Owner or the Owner's representative;

(vi) Unacceptable uses of Inside Information for Stable Employees

Again, this list is not exhaustive and therefore, where there is doubt, Stable Employees should contact the HRA and seek clarity. Unacceptable use includes:

- Communicating Inside Information directly or indirectly to any other person for any material reward, gift, favour or benefit in kind, unless the person is the Owner or the Owner's representative
- Any case where it is known or suspected that the Inside Information may be used for a corrupt betting purpose. The repeated passing of Inside Information to specific individuals, even if there is no reward, is likely to give rise to suspicion that it is being used for a corrupt betting purpose.