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4 May 2018

Ms Paresa Antoniadis Spanos
Coroner
Coroners Court of Victoria
65 Kavanagh St
Southbank VIC 3006

Dear Coroner

Racing Victoria's response into the Coroner's finding into the death of Friederike Ruhle

We refer to the 'Finding into the death without inquest' of Friederike Antonia Ruhle made by the Coroner on 2 February 2018 and provided to Racing Victoria on 6 February 2018 (**Finding**).

The Coroner's recommendation

Pursuant to section 72(2) of the Coroners Act 2008 (Vic) (**Act**), the Coroner made a single recommendation in connection with Ms Ruhle's death:

"That Racing Victoria consider the feasibility of compulsory fall safety training for individuals engaged in track work with race horses" (**Recommendation**).

Under section 72(3) of the Act, Racing Victoria must provide a written response to the Coroner by 6 May 2018 of a statement of action (if any) that has, is or will be taken in relation to the Recommendation.

The Coroner must publish the response on the internet and provide a copy of the response to any person with a sufficient interest in the Recommendation who has advised the principal registrar.

The Coroner's Finding

The Coroner found that Ms Ruhle was riding track work at Caulfield racecourse at around 5.30am on 1 July 2015 when her horse shyed causing her to fall to the right. As she fell she held on to the reins for a number of metres before letting go and falling to the ground on her back. The horse stepped sideways and onto Ms Ruhle's upper body before running on down the track. She was taken to the Alfred Hospital and declared

deceased at 7.21am. The autopsy revealed that she had multiple fractured ribs, bilateral haemothoraces and a pulmonary laceration involving a large caliber pulmonary artery branch.

The Coroner indicated that she had reviewed material that indicated there were safer ways to fall to minimise the risk of injury and that training is available at a modest fee.

Specifically, the Coroner found at paragraph 24 of the Finding that, "had Ms Ruhle been trained in how to fall safely, including by letting go of the reins and rolling clear of the horse, it remains a possibility that her injuries may have been less serious and her death prevented".

Importantly, there is no adverse finding made by the Coroner against Racing Victoria and nor is there any suggestion that Racing Victoria had a legal duty or other obligation owed to Ms Ruhle.

In this context, it is understood that the Coroner's Recommendation is directed to Racing Victoria as an entity who may be in a position to respond to that Recommendation which in the Coroner's opinion may minimise the risk of death to track riders.

Racing Victoria's response to the Recommendation

Racing Victoria wishes to convey the condolences of the racing community to Ms Ruhle's family and partner and acknowledges the tragedy of the loss of a young, cheerful person, who was passionate about horses.

Racing Victoria also wishes to acknowledge the work of the Coroner and thanks her for her investigation and Finding.

The Coroner concluded that Ms Ruhle was engaged by a trainer as a track work rider and that she died from injuries sustained in a workplace incident. Racing Victoria was not Ms Ruhle's employer and nor did Racing Victoria have any control over the workplace at the date and time that she was mortally injured.

There are generally three categories of persons, who are either registered or licensed by Racing Victoria, who may perform track work at racecourses or private training venues. Track work riders are engaged by trainers, either as employees or independent contractors, to provide riding services at training tracks to trainers. This category is registered by Racing Victoria as stable hands. The other categories are licensed jockeys and trainers.

In the Finding, the Coroner identified Racing Victoria's role in the registration and qualifications of track riders at paragraphs 20 to 22 inclusive as follows.

Currently in Victoria, a person can undertake track riding work at a Racing Victoria licensed venue after completing a minimum of two units of the National Racing Industry

Training Package¹ and obtaining registration with Racing Victoria as a stablehand. The required units of competency do not include any actual riding elements or assessment. A Certificate III in Racing (Track Rider) is available at some TAFE institutions in Victoria, but this qualification is not a mandatory requirement for employment as a track rider. Racing Victoria previously provided a two week intensive Track Rider Program, however it was discontinued in 2016.

According to Racing Victoria, a stablehand is a person who is employed by a licensed trainer in a thoroughbred racing stable and whose prime function is to care for horses and to meet their individual needs of feeding, grooming, exercising (including track work riding) and transporting. There is no separate registration for track riding. The decision to allow a stablehand to undertake track riding work is made by the trainer employing them, based on their own criteria and requirements.

While there is no suggestion that Ms Ruhle was not competent or experienced enough to be undertaking track work riding, the absence of formal qualifications and registration requirements for track riders is concerning given the level of danger inherent in this kind of work. Jockeys, who undertake substantially similar work, undertake a rigorous apprenticeship including theoretical and practical training, which is strictly assessed.

Formal qualifications and registration requirements for track riders

Racing Victoria concurs with the Coroner that formal qualifications and registration requirements for track riding work could address and potentially reduce the risks that are inherent in track work. While this aspect of the Coroner's observations does not fall within the Recommendation, Racing Victoria is committed to implementing a track rider registration category which will carry additional and specific training and qualifications requirements relevant to track riders. These requirements are intended to be based on the curriculum of national training units which do not currently include fall safety training.

Fall safety training

Following on from Coroner's observations at paragraphs 20 to 22 inclusive, the Coroner made the comment in paragraph 24, which is mentioned above, that "had Ms Ruhle been trained in how to fall safely, including by letting go of the reins and rolling clear of the horse, it remains a possibility that her injuries may have been less serious and her death prevented".

In considering the Recommendation, Racing Victoria received separate correspondence from Mr Lindsay Nyland and Mr Kevin Ring, National WHS Officer, Australian Jockeys Association (AJA).

¹ Those units, Unit RGRCMN201A – Follow OH&S Procedures & Observe Environmental Work Practices and Unit RGRPSH201A – Handle Horses, from part of Certificate II in Racing (Stablehand).

Mr Nyland offered to make available an 8 hour falls safety program to all jockeys and riders wishing to be trained to reduce their risk of serious injury in a fall.

He made the following suggestion:

“It may be prudent to initially offer the 8-hour program to all track riders, apprentice jockeys and jockeys who would like to develop skills to reduce injury in a fall. Following the initial training, feedback from participants and follow up evaluation, Racing Victoria would then be in a position to properly evaluate the feasibility and benefits that may be derived from the implementation of fall safety training on a systematic and wide-scale basis.”

On the other hand, Mr Ring advised Racing Victoria that the AJA did not endorse the Recommendation.

Mr Ring’s views are summarised as follows:

- There is no safe or safer way to fall as riders are never prepared for a fall. The rider’s focus is best served by avoiding falling off, which approach is facilitated in teaching the rider safe provisions of riding and by ensuring that the rider’s experience is commensurate with the exhibited behavior of the horse.
- A training methodology that requires the rider to be prepared for a fall, could inadvertently lead to injury, as riders may, for example, ride hesitantly, rather than what is required in the circumstances to stay on the mount.
- It is impractical for track riders and jockeys to commit to the hours of training required in the gymnastic approach to fall safety training given the lengthy time commitments those participants have in riding, which for track riders often involves second jobs or study and for jockeys, racing.
- There is no independent research that shows fall safety training makes a difference of any significance to the extent and number of the injuries sustained by people falling from race horses.

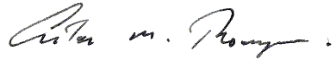
In weighing up these somewhat competing views, Racing Victoria is cognisant that the prerequisites of a successful training program ought to include acceptance by those who are to be trained and a clear and substantiated nexus between the program and safer outcomes. In the absence of these conditions, Racing Victoria does not believe that it is feasible to adopt compulsory fall safety training at this stage.

Racing Victoria is committed to working closely and collaboratively with the AJA in the development of national training units which will have components that will focus on teaching safe rider positions and methods in order to minimise falls from mounts. As mentioned above, Racing Victoria is committed to implementing a track rider registration category which will carry additional and specific training and qualifications requirements relevant to track riders based on the national training units.

In relation to fall safety training, we believe that Mr Nyland’s suggestion of a pilot program, with a subsequent feasibility evaluation, has some merit which Racing Victoria is prepared to consider in the context that participation by riders would be on

a voluntary basis. For the reasons stated above, a compulsory program is not feasible at this stage. To the extent that aspects of fall safety training may be adopted in the future, we note that there is likely to be a number of providers or approaches as to how that may be done.

Yours faithfully

A handwritten signature in black ink, appearing to read "Giles Thompson".

Giles Thompson
Chief Executive Officer