

QUESTIONS ON NOTICE

Short inquiry into the Tasmanian Government's response to serious allegations within harness racing

ASKED BY: Ella Haddad MP, Chair

ANSWERED BY: Hon Madeleine Ogilvie MP
Previous Minister for Racing

QUESTION 1:

Did the Breeders, Owners, Trainers and Reinspersons Association (BOTRA) or any other harness racing participants ever make direct complaints or allegations to you about race fixing, team driving, or general breaches of the rules, in meetings or via other means, and if so, what was your and/or the Department's response?

ANSWER:

Advice was provided to the Legislative Council Short Inquiry into the Office of Racing Integrity on complaints received and actioned by the Minister's office for the period 4 March 2022 to 6 April 2023.

Mr Murrihy's review commenced in March 2023.

A copy of the deidentified list *Summary of Complaints/Concerns Raised Actioned by the Minister's Office* along with a copy of the *Process Map for Complaints Management – Minister for Racing* are provided at Attachment 1.

Under the now repealed *Racing Regulation Act 2004* the Director of Racing and Stewards were responsible for ensuring adherence with the Rules of Racing. This remains the situation under the *Racing Integrity and Regulation Act 2014*.

The Independent Stewards Panel considered the 15 races referred to the Government by Mr Murrihy and the two races Mr Murrihy determined required referral to an "authorised appointee".

The Independent Stewards Panel charged one racing participant under Australian Harness Racing Rule 149(1) with failure to take all reasonable and permissible measures to win or obtain the best possible placing in the field. That decision was overturned by the Tasmanian Racing Appeal Board.

The Independent Stewards Panel Terms of Reference, Interim Report, Supplementary Report and Final Report are published in the Department of Natural Resources and Environment Tasmania's website.

No allegations of race fixing or team driving were upheld through this process.

QUESTION 2:

Please provide a copy of the letter from Ray Murrihy to the Premier regarding an extension of time to complete his review and provide his report?

ANSWER:

A copy of the letters to the Premier from Mr Murrihy dated 23 June 2023 and 14 August 2023 are provided at Attachments 2 and 3.

APPROVED/NOT APPROVED



Hon Madeleine Ogilvie MP

Date: 13 January 2026

Attachments

- 1 Summary of Complaints/Concerns and Process Map for Complaints Management
- 2 Letter to Premier - 23 June 2023
- 3 Letter to Premier - 14 August 2023

Summary of Complaints/Concerns Raised Actioned by Minister's Office

Date Complaint Received	Topic	Action by MO
4 Mar 2022	Greyhound racing – closure of the Devonport Showgrounds	Minister responded via correspondence with relevant information.
10 Mar 2022	Greyhound racing – leaked draft Anthony Bullock Investigation – Tah Bernard	Minister responded via correspondence and advised that the matter had been referred to ORI as it was an operational matter. ORI responded accordingly.
17 Mar 2022	Steward Inquiry	Minister responded via correspondence and encouraged the individual to reach out to ORI as this was an operational matter.
5 Apr 2022	North West tracks	Minister's office spoke directly with the individual and no further action required.
5 Apr 2022	Greyhound industry concerns	Minister provided a direct response to the complainant with relevant information.
26 Apr 2022	Greyhound industry – concerns against animal welfare activists	Minister provided a direct response to the complainant with relevant information.
12 May 2022	North West tracks	Minister provided a direct response to the complainant with relevant information and advised the matter had been raised with Tasracing for consideration.
16 May 2022	National Horse Traceability Register	Engagement with Minister Palmer Office regarding responsibility. No response recorded in this instance.
May 2022	Multiple letters to Premier – Greyhound industry – Tah Bernard Report	Minister's office provided relevant information to the Premier's office for his response.
2 Jun 2022	National Horse Traceability Register	Engagement with Minister Palmer Office regarding responsibility. No response recorded in this instance.
5 Jun 2022	Longford track	Correspondence was sent to Minister and Tasracing senior executive. As it was a Tasracing operational matter, Tasracing responded directly. Minister's office called the complainant directly to advise.

Date Complaint Received	Topic	Action by MO
6 Jun 2022	Greyhound racing – petition	No response recorded in this instance
5 Jun 2022	National Horse Traceability Register	Engagement with Minister Palmer Office regarding responsibility. No response recorded in this instance
7 Jun 2022	Greyhound racing concern	Minister provided a direct response to the complainant with relevant information.
16 Jun 2022	National Horse Traceability Register	Minister responded via correspondence with relevant information.
6 Jul 2022	Thoroughbred – field size and availability of jockeys	Correspondence was sent Tasracing, with a copy provided to the Minister. As it was a Tasracing operational matter, Tasracing responded directly.
7 July 2022	Racing – Jumps racing and risks to horse racing	Minister's office spoke with the individual directly. No further action required.
12 Jul 2022	Greyhound racing – allegations of bullying by Stewards	Minister responded via correspondence and encouraged the individual to reach out to ORI as this was an operational matter. Further contact was made by ORI to the individual and the matter is now deemed resolved.
14 Jul 2022	Multiple emails – Greyhounds – ban of anti-bark muzzles	Minister provided a direct response to the complainants with relevant information.
21 Jul 2022	Ben Yole Racing Stables – Animal Welfare	Minister responded via correspondence and encouraged the individual to reach out to ORI as it was an operational matter. This matter remains under review.
1 Aug 2022	Horse euthanasia	The then Minister had responded previously to this complainant on this issue. Determined no further action required.
18 Aug 2022	Greyhound racing industry concerns	Minister provided a direct response to the complainant with relevant information.
5 Sep 2022	Greyhound Racing – Swab decision reversal	This matter is currently under review.
8 Sep 2022	Suggestion for greyhound caddy	Minister's office spoke directly with the individual. No further action required.

Date Complaint Received	Topic	Action by MO
8 Sep 2022	Complaint re ORI and Request for information regarding death of Thoroughbred horse Sir Da Vinci	This matter was referred to ORI for a review and direct response as it was operational. ORI responded directly to the complainant and provided them with the information that was appropriate to be released. The complainant was further referred to the RTI process for any further information to ensure privacy requirements were met. No RTI application has been made.
9 Sep 2022	Complaint re staff at ORI	Minister responded via correspondence and advised that the matter had been referred to the DNRET to be managed appropriately through the complaints management process. The matter was investigated in line with the Department's complaints management processes and the individual was responded to accordingly.
15 Sep 2022	Horse euthanasia	Minister provided a direct response to the complainant with relevant information.
19 Sep 2022	Greyhound racing – Bullock kennel application	Correspondence was sent to ORI with a copy to the Minister. The Director of Racing responded directly to the complainant and no further action was required.
26 Sep 2022	Longford track	Correspondence was sent to Minister and Tasracing senior executive. As it was a Tasracing operational matter, Tasracing responded directly.
8 Nov 2022	Greyhound rehoming	Correspondence was sent to Minister's office and ORI. The Director of Racing responded directly, and no further action required.
23 Nov 2022	Spreyton Racetrack – Animal welfare issue	Minister responded via correspondence and advised that the matter had been referred to ORI as it was an operational matter. ORI responded accordingly.
13 Dec 2022	Launceston race track	Minister's office referred to Tasracing for direct response as it related to a Tasracing operational matter.
23 Jan 2023	Greyhound racing industry – end of taxpayer funding	The Minister provided a direct response to the complainant with relevant information
27 Jan 2023	Spreyton Racetrack – Animal Welfare issue	Minister responded indicating matter subject of active investigation and not appropriate to

Date Complaint Received	Topic	Action by MO
		comment. Further, the Minister encouraged the complainant to discuss further questions with ORI. The complainant entered into a number of discussions with ORI who outlined the due process that had been followed.
29 Jan 2023	Greyhound racing – Australian national survey	The Minister provided a direct response to the complainant with relevant information
1 Feb 2023	Road accident involving pacers	Letter was addressed to the Director of Racing. As it related to operational matters, no further action required by the Minister's office.
21 Feb 2023	Ben Yole Racing Stables – Animal Welfare	Minister has provided a direct response in relation to this matter and referred the matter to the independent investigator as the complaint was received after the independent review was announced.
25 Feb 2023	Ben Yole Racing Stables – Animal Welfare	Minister responded via correspondence and advised that the matter had been referred to ORI as it was an operational matter. ORI responded to the complainant and encouraged them to raise concerns in relation to matters outside of ORI's remit with the appropriate regulators.
28 Feb 2023	Ben Yole Racing Stables – Animal Welfare	Minister responded via correspondence and advised that the matter had been referred to ORI as it was an operational matter. ORI have conducted inspections and matter is still under active investigation.
2 Mar 2023	Ben Yole Racing Stables -Animal Welfare	Minister responded via correspondence and advised that the matter had been referred to ORI as it was an operational matter.
2 Mar 2023	Death of Thoroughbred horse – Statue of Dreams	Matter referred to ORI as it is operational. ORI has written directly to the complainant and provided relevant background information.
Mar 2023	Multiple emails - greyhound racing industry	The Minister provided a direct response to complainants with relevant information.
22 Mar 2023	Greyhound Adoption Program	Correspondence was sent to Tasracing with a copy provided to the Minister. As the matter related to Tasracing operational matters,

Date Complaint Received	Topic	Action by MO
		Tasracing responded directly and no further action required.
26 Mar 2023	Ben Yole Racing Stables – ABC news article	The Minister provided a direct response to the complainant with relevant information.
26 Mar 2023	Ben Yole Racing – ABC news article	The Minister provided a direct response to the complainant with relevant information.
27 Mar 2023	Harness racing industry	The Minister provided a direct response to the complainant with relevant information.
27 Mar 2023	Harness racing industry integrity	Minister responded via correspondence and advised that the matter had been referred to the Acting Secretary, DNERT so that its content could be considered by the independent investigator. The Department responded to the complainant and advised that the contents had been referred to the independent investigator.
28 Mar 2023	Concerns with ORI inquiry and due process	Minister's office provided a direct response and advised that the matter had been provided to the Acting Secretary, DNERT and Tasracing for action. The Complainant was further advised that the matter had been forwarded by the Acting Secretary to the independent investigator.
29 Mar 2023	Independent investigation, Director of Racing	Minister responded via correspondence with relevant information.
29 Mar 2023	Anthony Bullock kennel application and GAP management	Minister responded via correspondence with relevant information.
29 Mar 2023	Concerns for the three racing codes	Referred to DNRET – Minister's Office awaiting draft reply.
31 Mar 2023	Greyhound Adoption Program	Correspondence was referred to Tasracing for a direct response.
31 Mar 2023	Greyhound racing industry	The Minister provided a direct response to the complainant with relevant information.
1 Apr 2023	Anthony Bullock racing	The Minister provided a direct response to the complainant with relevant information.
2 Apr 2023	Anthony Bullock kennels	The Minister provided a direct response to the complainant with relevant information.

Date Complaint Received	Topic	Action by MO
6 Apr 2023	Ben Yole Racing Stables participation in harness industry	No response recorded in this instance.

Process Map for Complaint Management – Minister for Racing

As stated in my evidence at the hearing on 30 June 2023, my Office routinely receives communication from a range of stakeholders with interests in the portfolios I hold. In the context of my portfolio of Racing, if the communication raises a complaint or concern, in general terms the following process is followed:

1	<p>My Office forwards the complaint to the Department for action. In limited circumstances where the matter relates to the purview of the Director of Racing (a statutory office) it may be referred directly to that Office Holder.</p>
2	<p>Depending on the subject matter raised, the Department will:</p> <ul style="list-style-type: none">• Consider the matters raised• Objectively investigate the complaint and either resolve the issue or propose a resolution <p>This is done in accordance with the Department's External Complaints Handling Policy and Procedure.</p> <p>OR</p> <ul style="list-style-type: none">• If there is a potential breach of a rule, standard or law and consideration by a regulator is required:<ul style="list-style-type: none">◦ The Department will ensure that the relevant regulator is provided with the information to assess the complaint or concern, to consider whether any additional information is required, and make any findings or conclusions.◦ If the matter has been referred directly to the Director of Racing, they will do the same.◦ This may include enforcement action. <p>OR</p> <ul style="list-style-type: none">• If the matter relates to a staff member's conduct:<ul style="list-style-type: none">◦ The Department will consider the information and, where necessary, refer it to the appropriate person or people in accordance with the Department's policies, relevant Employment Directions and the <i>State Service Act 2000</i>.◦ An example is where a staff member's use of social media brings the Department into disrepute through inappropriate behaviour or demonstrating conflicts of interest. These matters are resolved in accordance with established policies and procedures (e.g. Employment Direction No.5 'Procedures for the investigation and determination of whether an employee has breached the code of conduct') and/or an applicable employment contract (e.g. Stewards Instrument of Appointment).◦ Should it be determined, under this Employment Direction or the applicable employment contract, that the code of conduct has been breached then the Head of Agency (as the Minister's delegate) may impose a sanction in accordance with section 10(1) of the <i>State Service Act 2000</i> or in accordance with the said employment contract.◦ Where an employee's behaviour amounts to a conflict of interest that may impact upon their capacity to perform their regulated duties appropriately, the relevant Manager may take appropriate steps to manage and avoid that conflict. This may include directing a staff member to not operate or work in a code of racing upon which the conflict of interest relates to. Reference is made to the Budget Estimates House of Assembly Committee B Hearing conducted on 8 June 2023, specifically evidence given by the Secretary of the Department, Mr Jason Jacobi, on pages 11 through 14.⁶²

⁶² See House of Assembly Estimates B - Thursday 8 June 2023 – Ogilvie, <https://search.parliament.tas.gov.au/search/isysquery/609992c1-41b5-41e3-93c5-02220122bf1b/1/doc/>

3	<p>The Department may advise me of the action the Department has taken to resolve the matter. However, this is not always the case having regard to the roles and functions of the Department and certain officers, and the requirements of relevant statutes (for example, the <i>State Service Act 2000</i>, the <i>Personal Information Protection Act 2004</i>, or the <i>Public Interest Disclosures Act 2002</i>).</p>
4	<p>Either I or the Department may communicate with the complainant to inform them of the findings and/or actions taken to pursue a resolution of their complaint. However, it is not always appropriate to provide full or, in some cases, any feedback to a complainant for the reasons mentioned in the previous point.</p>

Mr Ray Murrihy

Integrity Consultant,



The Hon Jeremy Rockliff MP,
Department of Premier and Cabinet,
15 Murray Street, Hobart, Tasmania 7000

23 June 2023

Dear Premier,

As you are aware, I am undertaking the independent investigation into allegations of team driving, race fixing, and animal welfare concerns in the Tasmanian harness racing industry and the management of those issues by the Office of Racing Integrity. In accordance with the 4 April 2023 Instrument of Appointment and the 1 April 2023 Terms of Reference (ToR), I am required to issue my report on the independent investigation and review by Friday 30 June 2023.

I can advise that as a part of conducting the investigation I have reviewed more than 40 written submissions and visited Tasmania on repeated occasions to conduct in person confidential interviews and stakeholder meetings. This has included inspecting animal welfare conditions at the Yole Sidmouth Racing Stables and consultation with RSPCA Tasmania, the Chief Veterinary and Animal Welfare Officer at Tasracing and the Chief Veterinary Officer in the Department of Natural Resources and Environment Tasmania. Engagement with industry representatives, the Office of Racing Integrity and affected stakeholders is continuing.

It is vitally important that all information received during this investigation can be assessed completely to ensure due diligence. I also need to afford procedural fairness to individuals whose interests might be adversely affected by my findings.

To ensure the matters outlined in the ToR can be assessed completely I am writing to seek your approval and support for an extension to 31 August 2023 for the delivery of the report and findings.

Yours faithfully,

Mr Ray Murrihy

CC Mr Rod Nockles

14 August 2023

Dear Premier,

Independent Racing Inquiry

As you are aware, I am conducting an independent review into harness racing in Tasmania. My seven terms of reference for that review are publicly available on the website of the Department of National Resources and Environment.

In accordance with my instrument of appointment from you, at this point in time I expect to be in a position to respond to terms of reference 3, 4, 5, 6 and 7 by way of a written report provided to you by 31 August 2023.

However, due to the nature of my investigation, the availability of witnesses and the need to afford those affected by the investigation procedural fairness, I will not be in a position to report to you on terms of reference 1 and 2 until I have completed these matters.

Yours faithfully,

Ray Murrihy

Mr Ray Murrihy
Senior Stipendiary Steward.