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THE HOUSE OF ASSEMBLY SELECT COMMITTEE ON CARETAKER CONVENTIONS MET IN COMMITTEE ROOM 1, PARLIAMENT HOUSE, HOBART ON FRIDAY 3 JULY 2026.

Premier

The Committee met at 12.08 p.m.

CHAIR - Thank you for appearing at today's hearing of the House of Assembly Select Committee on Caretaker Conventions. We have myself, Ms Badger, as Chair; Deputy Chair, Mr Winter; Mr Vermey; and Mr Garland is online as well. Joining us from Launceston, around the room, if I could please get each of you to state your name and the capacity in which you are appearing before the Committee, perhaps starting with you, Premier.

Mr ROCKLIFF - Thank you very much. Jeremy Rockliff, Premier. With me I have Kathrine Morgan-Wicks, head of the State Service and Secretary of the Department of Premier and Cabinet (DPAC). With me as well I have Shane Gregory, Acting Secretary of Building Tasmania, and was acting secretary of DPAC at certain periods through the caretaker time. I also have Lisa Howes, Chief Governance and Risk Officer, DPAC.

CHAIR - Thank you very much. Can I confirm that each of you have received and read the guide sent to you by the Committee Secretary?

Ms MORGAN-WICKS - Yes, we have.

CHAIR - Thank you. Just to note that this hearing is covered by parliamentary privilege, allowing individuals to speak with freedom without fear of being sued or questioned in any court or place out of Parliament. This protection is not accorded to you if statements that may be defamatory are repeated or referred to you outside the parliamentary proceedings. This hearing is public. The public and media may be present. Should you wish for aspects of your evidence to be heard in private, you must make this request to the Committee at the time.

Now, this is only applicable to Ms Morgan-Wicks, I believe, for the swearing in, and Ms Howes as well. As you're both joining us by Teams, this is just for the swearing in. I will need you to please affirm the following: that you do solemnly promise and declare that the evidence you shall give to the Committee shall be the truth, the whole truth, and nothing but the truth.

Ms KATHRINE MORGAN-WICKS, SECRETARY, and **Ms LISA HOWES**, CHIEF GOVERNANCE AND RISK OFFICER, DEPARTMENT OF PREMIER AND CABINET, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED via TEAMS.

Mr SHANE GREGORY, ACTING SECRETARY, BUILDING TASMANIA WAS RECALLED AND EXAMINED via TEAMS.

Ms MORGAN-WICKS - Chair, I believe that that would also be required for Mr Gregory.

PUBLIC

CHAIR - Mr Gregory's already appeared before the Committee, so he has already sworn in. Thank you for double-checking that, though.

Premier, do you wish to make an opening statement?

Mr ROCKLIFF - Thanks, Chair, I do. Good afternoon. Thank you, Select Committee members. My Government is committed to acting honestly, professionally, and with accountability in the performance of our duties, and I welcome the Committee's inquiries into these matters. I'll just make a few short remarks before we kick things off.

It's important to note that the 2025 election was not expected. It was not wanted, indeed. So, we entered a period without prior notice that would normally occur during a general election. There were some complex matters that needed to be addressed through this period. At the commencement of the caretaker period on 12 June 2025, the Secretary of Department of Premier and Cabinet, Ms Kathrine Morgan-Wicks, wrote to all government agencies, as well as Government Business Enterprises (GBEs) and State-Owned Companies (SOCs), advising them that the caretaker period had commenced. The letter referred to the underlying principles of the caretaker conventions, which are to avoid or defer decisions that would bind an incoming government, if possible, including making any major policy decisions, entering any major contracts or making any significant appointments.

I wrote to my Ministers on 13 June 2026 advising them of the same information and providing them with a copy of the caretaker guidelines during the 2025 caretaker period, the secretary of DPAC and all Tasmanian state servants that it is in contravention of the State Service principles to receive and pass on party political information, as the State Service is apolitical. The Department of Premier and Cabinet provided ongoing advice to agencies throughout the 2025 caretaker period. While DPAC can provide advice on the application of the caretaker conventions, it is the responsibility of the relevant head of agency or Member of Parliament to ensure they are complied with.

As members would be aware, there was a protracted period post the election in which the Government remained in caretaker mode. This meant that some decisions, such as the Marinus Final Investment Decision (FID), could not be delayed until a new government was sworn in. My Ministers and I sought to act in the best interests of the state through this period, and I am thankful for the departmental officials who assisted during this period.

Chair, before we move into questions, I would like to clarify an answer I gave in the House when it last sat about the Tasracing matter. I provided the following answer on Tuesday 16 June 2026:

My understanding at the centre of this is a misunderstanding caused by a simple matter of crossed purposes. My understanding is that Mr [Nick] Turner sent the adviser an email which the adviser believed was a clarification about whether TasInsure would cover workers' compensation.

On 16 June [2026], I should have said that:

Mr Turner contacted the adviser.

PUBLIC

I clarify that.

CHAIR - Thank you very much, Premier. Can I just clarify your clarification there, so I can ensure that I've got it right for this questioning. Premier, you're correcting your statement from Tuesday, 16 June [2026], so you would have intended to say:

My understanding is that Mr Turner contacted the adviser with an email.

I think there may need to be some -

Mr ROCKLIFF - Just 'contacted the adviser'.

CHAIR - 'Contacted the adviser', an email. Okay, I think we get the gist of perhaps what you're trying to clarify there.

Premier, do you agree that participants in the racing industry are members of the public?

Mr ROCKLIFF - Well, we're all members of the public in that sense, I suppose. I'm not sure what you're referring to there necessarily, but these matters have been long canvassed, of course.

CHAIR - Thank you, Premier, back to the answer you gave the House on Tuesday 16 June [2026], where your corrected record says that your understanding is that Mr Turner contacted an adviser with an email which the adviser believed was a clarification about whether TasInsure would cover workers' compensation. Could you please explain to us which email from Mr Turner, or which contact from Mr Turner, you were referring to when you were making that statement?

Mr ROCKLIFF - Sure, I can seek that information for you, to the best of my knowledge. This is the sequence of events, as I'm advised. The adviser received a call from CorComms' Mr Turner on the day the TasInsure policy was announced. The adviser's firm recollection is Mr Turner was asking for a clarification of the policy relating to workers' compensation. Mr Turner's email to Mr Jenkins says, 'Luke says okay'. The adviser was not party to this email. The adviser maintains the reference to him does not confirm he said 'okay' to the contents of the email or was aware of the intended message. The only email that Mr Turner sent to the adviser was the one that contains 'Message to industry' as a subject line. I'm advised that the adviser maintains he does not recall seeing that.

CHAIR - Premier, who wrote the answer that you read in on 16 June [2026], and why did it say that there was an email?

Mr ROCKLIFF - I'll have to seek information on exactly that, but the information I was provided was not correct, I'm advised.

Mr WINTER - Do you stand, in your statement about former Minister Howlett, you outlined, I think, political attacks, a bunch of other things, do you maintain that the [former] Minister did nothing wrong throughout this text message issue?

Mr ROCKLIFF - Well, Mr Winter, Ms Howlett's on record on a number of these occasions when scrutinised, including correcting the record, and I'll leave it at that.

Mr WINTER - Minister Howlett has claimed on *Hansard*, variously, that she was not aware that the communications, or her office, weren't aware of the communications going out. Minister Howlett has claimed that the first she knew about the issue was during parliamentary questioning. Do you maintain that she has been honest throughout this entire period?

Mr ROCKLIFF - Well, I cannot speak for Ms Howlett, but she has placed matters on the record, which are on the record.

Mr WINTER - Have you undertaken any investigation around these matters to clarify what actually happened? Have you or the Department [DPAC] undertaken any clarification or investigation as to what really happened, given that the department, in correspondence we've seen, has outlined that it does believe there's been a caretaker breach that's occurred here?

Mr ROCKLIFF - Well, I can refer to Ms Morgan-Wicks in terms of the matters that the Department undertook in relation to this matter.

Ms MORGAN-WICKS - Thank you, and through the Premier, it's probably a combination of both Mr Gregory and myself. Our concern was in relation to the matter of Tasracing sharing this information. And certainly, following the, I think it was the GBE Estimates late in the year [2025], we made contact with Tasracing to seek information from the Chair, Mr [Gene] Phair, in relation to what had occurred and what the Board had actually done in relation to the matter. But I might ask Mr Gregory, given that he had the first correspondence with Tasracing on that matter and then I followed up on my return from leave.

Mr GREGORY - Thanks, Kath, and through you, Premier. Yes, I was Acting Secretary when Ms Morgan-Wicks was away, and the issue was referred to DPAC. I wrote to the Chair of Tasracing to seek some further information about what had occurred from their perspective, and what actions have been taken. I gave the Chair a call about 10 minutes before I sent the letter via email as a courtesy call and explaining what I was wanting to get back. So really, asking the question of 'well, what did happen?', explaining the caretaker conventions, asked what happened, and then subsequently received a letter back a period later explaining their view on what they'd done.

I had formed the view I wasn't entirely comfortable that that was consistent with the caretaker conventions. It was about that time that Ms Morgan-Wicks returned from leave and we discussed that, and both formed the view - fairly simply that our view was that Tasracing had breached the caretaking conventions based on the correspondence and discussion I'd had with the Chair, I suspected perhaps inadvertently done so, but had definitely breached the caretaker guidelines.

Mr WINTER - Premier, how confident are you that no one, as part of your Government, instructed or asked Tasracing to undertake these activities?

Mr ROCKLIFF - Well, I can only go on the records that have been provided.

Mr WINTER - To go back to the question you didn't answer earlier: have you personally undertaken any investigation as to the honesty and accuracy of the answers provided both in the statutory declaration by Mr [Luke] Gaetani and the answers provided by your former Minister for Racing, Jane Howlett?

PUBLIC

Mr ROCKLIFF - Well, as I say, as outlined by the Secretary and the Acting Secretary at the time, these matters were investigated.

Mr WINTER - Who were they investigated by, I'm sorry? By DPAC? That's not an investigation of the accuracy of the statements by Ms Howlett or Mr Gaetani though, is it?

Mr ROCKLIFF - Ms Howlett and Mr Gaetani have put matters on record and they are for the public record.

Mr WINTER - Are you aware of the evidence provided by Mr Nick Turner to this Committee?

Mr ROCKLIFF - I am aware of Mr Turner's evidence.

Mr WINTER - Do you accept that there is an inconsistency between the evidence from Mr Turner and the statutory declaration provided by Mr Gaetani?

Mr ROCKLIFF - Mr Gaetani stands by his statutory declaration.

Mr WINTER - That wasn't my question though, Premier.

Mr ROCKLIFF - Well, that is the answer to the question: that he stands by it. That's the answer.

Mr WINTER - Do you agree that there is an inconsistency between the advice provided to this Committee by Mr Turner and the stat dec?

Mr ROCKLIFF - Well, I've clarified these matters in Parliament and further today, and Mr Gaetani believes very much in his statement.

CHAIR - Further to that, Premier, you have had to correct the record twice in the House. You've corrected it again today. Are you undertaking any kind of internal investigation into this, because we can't get the story straight at this -

Mr ROCKLIFF - Well, these matters have been well canvassed, thank you very much. A minister is no longer a minister and these matters have been well canvassed.

CHAIR - Yeah, I appreciate that you would agree that these are very serious issues -both a breach of caretaker conventions is very serious, as is the accuracy of getting the record straight in Parliament. We've had two corrections in the last sitting week and another one today. What are you doing to ensure that there is not going to be more to come?

Mr ROCKLIFF - Well, we have made information available and we scrutinise the words that we say, and I've clarified my answer today.

CHAIR - So, are you standing by that the correction that you've provided this Committee today will be the final correction that you'll be providing?

Mr ROCKLIFF - Well, to date, yes, the best of my knowledge.

Mr WINTER - Mr Gaetani has provided a statutory declaration to the Parliament which outlines that he was unaware of the communications that were to come out from Tasracing, yet Mr Turner has provided evidence to this Committee that demonstrates that, in fact, not only was an email provided with a set of words, but he's also given evidence to this Committee that he spoke to Mr Gaetani and explained what was happening. This is completely inconsistent with the statutory declaration provided and tabled in the House by your [former] Minister. Surely, you understand there has to be some kind of investigation here to understand whether the accuracy of a statutory declaration provided by your Government -

Mr ROCKLIFF - Well, Mr Gaetani stands by his statutory declaration.

CHAIR - Premier, on Tuesday 16 June [2026], you did say that:

Mr Turner did not tell the adviser the intention was to distribute the words as a general message to the industry.

As shown by a document tabled in this Committee, Mr Turner did tell the adviser he intended to distribute those words as a message to the industry. Do you accept that that part of the statement that you made in Parliament on 16 June [2026] was also incorrect?

Mr ROCKLIFF - Well, I've clarified an answer with respect to this matter today, and I have no reason to clarify any further.

CHAIR - You clarified that it wasn't an email, it was a different point of contact. This is a separate part of that same statement made on Tuesday 16 June [2026] where you said that:

Mr Turner did not tell the adviser that the intention was to distribute the words as a general message to the industry.

Mr. Turner has told this Committee, and it was clear by a document tabled, that he did tell the adviser the intention was to distribute those words as a message to the industry; so would you like to further correct the statement?

Mr ROCKLIFF - I will just go through the sequence of events again. The adviser received a call from CorComms' Mr Turner on the day the TasInsure policy was announced. The adviser's firm recollection is that Mr Turner was asking for a clarification of the policy relating to workers' compensation. Mr Turner's email to Mr Jenkins says, 'Luke says okay.' The adviser was not party to this email. The adviser maintains the reference to him does not confirm he said okay to the contents of the email or was aware of the intended message. The only email that Mr Turner sent to the adviser was the one that contains 'Message to Industry' as a subject line, I'm advised, and I'm advised the adviser maintains he does not recall seeing that email.

CHAIR - Thank you, Premier. This is about what you told the House, not what the adviser does or doesn't recall, so I'll take that as a no, you won't be further clarifying that statement today?

Mr ROCKLIFF - Unless I'm advised otherwise, I've put matters on record then and today, and happy to further provide further clarification if that needs to be done.

PUBLIC

Mr WINTER - Premier, your statement in Parliament says:

Mr Turner did not tell the adviser the intention was to distribute the words as a general message to industry.

And yet this Committee has received evidence from Mr Turner that the email, literally the subject line is 'Message to Industry'. Can you not see that the words that you've used in Parliament are inaccurate and the advice you've been receiving from your [former] Minister and Mr Gaetani appear to be, at best, hazy on the details?

Mr ROCKLIFF - I won't be verballed on this. I've already outlined that the only email that Mr Turner sent to the adviser was the one that contains 'Message to Industry' as a subject line. I'm advised the adviser maintains he does not recall seeing that email.

Mr WINTER - But you've provided evidence - this is not so long ago - to Parliament that says:

Mr Turner did not tell the adviser the intention was to distribute the words as a general message to industry.

And that's false, isn't it?

Mr ROCKLIFF - I've provided answers to Parliament and provided a clarification today, and I'm happy to go through the sequence of events again if you'd like. That's my answer.

Mr WINTER - This feels like it's 'complex matters' at Estimates all over again, Premier, to be honest. I'm not feeling like we're not getting anywhere, Chair.

CHAIR - No, not at all. It's a pretty basic statement. On the face of it, it does look to be false and, Premier, you'd have to agree that this is a really poor reflection on yourself, not being able to give these accurate pieces of information to us.

Mr ROCKLIFF - Well, I provided information as -

CHAIR - Yes, but we need accurate information, Premier.

Mr ROCKLIFF - Well, I've provided information, and accurate information, as I've been advised.

Mr WINTER - Premier, this is the most serious breach of caretaker conventions I can think of, and your own Department has now acknowledged that this is a breach of caretaker conventions. Can you tell me a single member of your Government that's been held to account for the breach?

Ms MORGAN-WICKS - Through the Premier, the breach that I identified as Secretary of DPAC related to Tasracing's employee distributing the information. So, I just want to make sure that that's a clarification.

Mr WINTER - Yes. That's understood.

Ms MORGAN-WICKS - I haven't made any finding in relation to any other individual, and I should say that, in terms of the conventions themselves, which are guidelines, they're not law, I'm not in position, actually, to make findings. I provide advice as basically the caretaker of these guidelines, and provide advice, and we looked at the matter, the Premier asked me to investigate the matter. It's a matter that I also worked with Mr Gregory in relation to. We've written to the Chair of Tasracing. We've outlined that we believe, in our advisory capacity, that that employee had erred, made an error, whether it was inadvertent or not, in relation to Tasracing, and we recommended that further education and training be provided to every single employee of Tasracing in future.

We've taken several steps to try and improve the guidelines for caretaker periods and, in fact, including quite explicit guidance for GBEs or other statutory authorities, and I specifically wrote to each of them right at the start of the caretaker period and invited them to contact DPAC should they have any queries or concerns about steps that they might take as an authority or body. So, the Premier asked me to investigate; the breach that we have identified lies in terms of the employee of Tasracing.

Mr WINTER - Premier, on the day of the of the TasInsure announcement, what we've got is evidence that on that same day Tasracing contacted its communications professional and the [former] Minister's office in order to facilitate them communicating a Liberal Party election commitment, which is in breach of the caretaker conventions. Do you agree that it's inconceivable that Tasracing would have done that without any direct instruction or request or conversation with members of your Government before they did it?

Mr ROCKLIFF - Well, not necessarily, no, and Ms Morgan-Wicks has outlined a number of matters, so this has been well-scrutinised and a lot of matters have been put on the record. There has been investigation as per the Secretary's comments, and so, I cannot answer hypothetical questions.

CHAIR - Premier, on 16 June [2026], you told Parliament:

The Minister's adviser did not have knowledge of Tasracing's intended plan to issue public communications.

For clarification: do you stand by that statement today?

Mr ROCKLIFF - Well, I've provided a clarification already and if I'm advised to clarify further, I'm more than happy to, but I stand by the statements I've made today and previously.

Mr WINTER - I'm ready to move on to other matters, when you are.

Mr VERMEY - I've got some other questions there, Chair.

CHAIR - Absolutely, and can I just check in online, Mr Garland, if you've got anything on this, otherwise -

Mr GARLAND - I'm fine. Keep going.

CHAIR - Fantastic, thank you.

PUBLIC

Mr WINTER - I was going to go to Marinus, unless you've got anything on Tasracing.

Mr VERMEY - No. I was going to go to Marinus.

CHAIR - Just before we jump onto that, Premier, on 1 July [2025], you announced the world's first AI factory zone with Firmus Technologies. Can you please outline for us exactly what that world's first AI factory zone is?

Mr ROCKLIFF - Chair, 1 July 2025, are you speaking of?

CHAIR - Yes, during caretaker mode of that election period.

Mr ROCKLIFF - Well, it was detailed, as I recall it, in my media statement. It's an exciting opportunity, a \$2 billion investment at the time, if I recall it correctly. I haven't got the statement in front of me. But one that is very welcome when you consider the opportunity that presents itself and, indeed, Tasmania as well. We're excited about the opportunities of these types of developments. I appreciate the community have questions around them. But I'm very, very confident that these are very, very good investments for Tasmania.

CHAIR - One of the questions that the community does have about this is exactly what the world's first AI factory zone is. Unfortunately, that's not explicitly outlined in your communications, other than that name itself. Can you provide any further detail to us today, please?

Mr ROCKLIFF - Well, there are various reasons why you'd probably want to set up an AI factory here, in my view: access to renewable -

CHAIR - Sorry, it's just on the zoning specifically that you announced; not setting up AI and data factories generally.

Mr ROCKLIFF - Well, let's not get, you know, pedantic about words. The Tasmanian environment -

Mr WINTER - You clearly haven't worried about it before.

Mr ROCKLIFF - and renewable energy opportunity, our climate conducive to AI factories, data centres. And it's a welcome opportunity not only for St Leonards, of which I inspected a few weeks ago, but also George Town, north-west coast. They're exciting opportunities, an exciting opportunity for these AI factories that when consuming, of course, power, pay market price for.

CHAIR - Just to be clear, you cannot provide us any detail whatsoever on what your AI factory zone actually is? Can you provide us any detail of anything else underneath that announcement that you made on 1 July [2025]?

Mr ROCKLIFF - Well, when we talk about opportunity for AI factories, and we talk about the environment and the access to renewable energy, we have the opportunity to lead the world in sustainable artificial intelligence with these types of investments, and that is very welcome.

PUBLIC

CHAIR - Just to clarify, the world's first AI factory zone, it's not a tangible thing?

Mr ROCKLIFF - In terms of an area, I mean, if you look at the area of Tasmania where we have the right climate and the access to renewable energy is very welcome.

Mr VERMEY - Related to that, I suppose, is how the decisions in relation to Project Marinus during the caretaker period assessed against public interests, particularly given its benefits for renewable energy and the investments in Tasmania. I think that sort of flows into that AI space, the opportunity that it provides the power, and power that isn't at a discounted rate. Can you give me some further details on that?

Mr ROCKLIFF - Well, in terms of the opportunities that present itself from Marinus, which is why we sought to do our due diligence when it comes to this Marinus opportunity, extract the best deal possible from the Commonwealth, which we did. The period of months leading up to the signing, we managed to secure a better deal for Marinus to the tune of hundreds of millions of dollars. I commend our officials for working so diligently through that time.

When you consider that not only will this opportunity provide investment in renewable energy, most notably wind but to a lesser extent solar, but also improve our bottom line in Tasmania, on average to the tune of \$470 million. That is very good because it not only enhances our capacity for more energy and, of course, the second link potential is Lake Cethana with the pumped hydro. That is further down the track potentially.

But when you consider the greater ability to generate energy as a result of Marinus and attract private investment, but also positively impact the bottom line for Tasmania to the figures that I just mentioned, it means that not only does Tasmania have a greater budget position, but a greater budget position to make key decisions on where best to invest that additional revenue. That could well be in the infrastructure we need, enabling infrastructure. It will mean more investment in our schools, our health system, services, cost-of-living initiatives for Tasmanians.

It really is a very good deal for Tasmania, which is why I staked my leadership on it in and around the time of signing, because I believed it was in the best interest of Tasmania, and I will always do what is in the best interests of Tasmania.

Mr WINTER - On Marinus, during the week starting 28 July [2025], there were briefings for crossbench, Opposition and Greens Members of Parliament around the Marinus engagement. It started with a letter from you to the Opposition and Greens on 28 July [2025], in which you say:

Once the briefing is held, could you please [jointly] provide your understanding and support for the approach -

Being Marinus:

... or otherwise?

PUBLIC

At what point were you given advice to say that you required the opposition to sign off on Marinus before you could enter into the agreement?

Mr ROCKLIFF - Well, of course, this is about caretaker convention, and so what we decided to do was important, given the enormity of the decision before us. I cannot think of a bigger agreement with the Commonwealth. There may well be one, but certainly in my time in Parliament I cannot think of one. I stand to be corrected. But the significance of it. We went beyond what is required of caretaker convention, which the case of offering briefings not only to the Opposition - and you could say the caretaker convention, the requirement really was about offering the Opposition a briefing and consultation. But we extended that further to the crossbench, including the Greens and Independent members. There were opportunities for members across the Parliament and both Houses of Parliament -

Mr WINTER - Just to my actual question, Premier, I'm sorry to interrupt you, but the question is: when were you provided advice that you required the opposition to sign off on the project before you could enter into the agreement?

Mr ROCKLIFF - Well, a lot of advice that we receive - and I formed the view that we needed to go beyond the realms of caretaker convention because of the significance of the agreement. And so, we wanted bipartisan support for this very big transaction, if you like, with the Commonwealth, but also the opportunity. And so, I stand to be criticised for going beyond the caretaker convention, and -

Mr WINTER - Do you accept that the caretaker conventions themselves don't require the Opposition to sign off on the agreement?

Mr ROCKLIFF - Well, what I accept - I'm well aware of the caretaker conventions, and we wanted to ensure that we were doing everything right. We went above and beyond the role of caretakers -

Mr WINTER - But do you accept that the caretaker conventions do not require the Opposition to sign off before you entered into the agreement?

Mr ROCKLIFF - Well, we wanted bipartisan support for this agreement. It was a big transaction that we were dealing with the Labor Federal Government on and there were some key timelines -

Mr WINTER - Premier, this is the fourth time I've asked. Do you accept that the caretaker conventions do not require the Opposition to sign off on the - before you enter the agreement?

Mr ROCKLIFF - Well, with respect, I've just provided relevance to you as to why we would go beyond the realms of caretaker conventions. I'm not going to play your games, Mr Winter. We've provided you an opportunity to stand up, be bipartisan about this and, as usual, you squibbed us.

CHAIR - Just to be clear - the caretaker conventions do talk about potential future government which, in some aspects, could have been the Labor Party and the Greens and all members of the crossbench. So, really, it was just the bare minimum. Also, the caretaker conventions talk about transparency for the voting public, or the public who had voted, and

were pending a final decision on who the government would be at the point in time that the Final Investment Decision was made in regards to Marinus.

Now, your Government had previously committed to releasing the Whole-of-State Business Case transparently to Tasmanians, and after having seen it and received it yourself, determined not to. Premier, can you help us understand how, and who, made that decision not to release the Whole-of-State Business Case to Tasmanians at that point in time? Was it the Minister for Energy? Was it the Treasurer? Or is that more of a whole-of-Cabinet decision?

Mr ROCKLIFF - Well, we wanted to ensure that we got the best deal possible from the Commonwealth, and between the months of - if my memory serves me correctly - April [2025] and the signing, we extracted a better deal from the Commonwealth to the tune of millions of dollars in the best interests of Tasmanians. That is my job, to do that. I take responsibility for getting the best deal for Tasmanians, and I'm aware also that I well and truly staked my leadership on it, as has been reported, such is the significant benefit to Tasmania. But I might throw to the Acting Secretary for State Growth, who was involved with these matters.

Mr GREGORY - Through you, Premier: in that period of time, I think certainly starting earlier in the year [2025], before the election was really important, the Whole-of-State Business Case laid out the whole position related to Project Marinus. It identified the upside, benefits for Hydro. In doing that, it laid out Hydro's financial position, and it also identified some potential risks for the state. So, it's a comprehensive document that gave a really solid picture of Hydro and how it operated.

CHAIR - Thank you. Just in the interest of time - I'm very sorry, Mr Gregory, to interrupt you there - my question was really just about who decided not to release it. Because while the Premier might say that he's rested his leadership on this, Tasmanians didn't know at the time. They were under the impression when they voted that they were going to be seeing the Whole-of-State Business Case. The decision on this came after the voting election date, in that interim period when we didn't have a formal government, as such, in place, and we were waiting for the Hare-Clark count to continue.

So, they don't know whether you were getting a better deal for them or not. In fact, they still don't know, because it's heavily redacted. My question was: whose decision was it, ultimately, not to release it? Which ministerial portfolio did that fall under? Energy, Treasury, or is it a whole-of-Cabinet decision in that caretaker period?

Mr GREGORY - With respect, Chair, the background I was giving is pretty important to the advice that was provided to the Government by the Energy Executive Steering Committee, which is a steering committee comprised of senior officials from the Department of State Growth, Department of Premier and Cabinet, Department of Treasury and Finance. So, what I was saying is it's very important, and I will get through it quickly to get to the point.

In essence, the Whole-of-State Business Case laid everything bare. We identified that there were risks in terms of the capital exposure in the delivery of the Marinus Link and risks in terms of flow-through costs to consumers, in particular, direct connect customers, to TasNetworks.

There was an extensive negotiation going on with the Commonwealth to address both of those issues. The Commonwealth had the view that it should take into account Hydro's

performance and financial position in terms of reaching that negotiation. That's not a position that applied in Victoria, that the Commonwealth wasn't looking at the performance of electricity generators in Victoria, that they wanted to do that in Tasmania.

On the basis that Hydro and its assets and its performance and everything that it does is as a result of 100 years of investment by the Tasmanian community, the steering committee formed the view that was inappropriate to do that. We didn't think that was in the best interest of the state, and that's the advice we provided through to Cabinet, through the Energy Minister, that it was not appropriate, and in fact, it would be very damaging to the negotiations that were being led by the Secretary of DSG [the Department of State Growth] at the time in achieving the best outcome. So, that's the advice we provided very, very strongly, through the Energy Minister, to Cabinet.

Mr ROCKLIFF - It was our intention, Chair, to release the Whole-of-State Business Case, as committed. However, due to the ongoing negotiations with the Federal Government, it would have been very disadvantageous to Tasmania to do so, again, acting in the best interest of Tasmania. So, from the beginning, we always sought to achieve the best outcome for Tasmania through the Project Marinus investment.

Of course, the detail of the Whole-of-State Business Case showed the benefits arising from Marinus to Tasmania, and I've mentioned some of that today in terms of our bottom line, but also opportunities to improve the outcomes for Tasmania by negotiating strongly with the Federal Government in relation to Marinus agreements on behalf of the Tasmanian people.

We were negotiating with the Commonwealth to cap our equity exposure in Marinus and seek financial contributions to reduce the financial impact of transmission charges on consumers through the Commonwealth funding for the North West Transmission Developments, for example. So, the Federal Government wanted to factor into those negotiations the underlying financial performance of Hydro, an existing Tasmanian community asset, and the upside that would've been realised through Project Marinus. As Mr Gregory's pointed out, Hydro is the product of 100 years of investment by Tasmanians for Tasmanians, and that shouldn't be leveraged by the Federal Government to limit their investment into Marinus, which is strategically important for the nation, not just for Tasmania. As a state, we did not believe this was appropriate. For this reason, we made a commercial decision to withhold the business case, as we progressed negotiations, to ensure that we did not compromise those negotiations and get the best deal for Tasmania. So, this approach, as I say -

CHAIR - Thank you. In the interest of time, Premier, we only have you for a short while, and the Energy Minister provided that exact same statement you are giving us now. Could you please table the advice that the Energy Executive Steering Committee provided to Cabinet via the Energy Minister on not releasing that?

Mr ROCKLIFF - It's Cabinet-in-confidence. I'll seek advice into what is possible.

CHAIR - Thank you.

Mr VERMEY - Premier, I understand the importance of having things connected and that momentum going forward for Marinus, and I suppose that also goes into other areas, like TT-Line, how that's progressing. How far are we away from actually having that delivered through for the state?

Mr WINTER - Point of order, Chair. That's not within the Terms of Reference.

CHAIR - If you can reframe that to its relevance to caretaker conventions, we can take it, otherwise it sounds like an update on -

Mr VERMEY - Well, it's about continuity and keeping things going forward during - and there were negotiations with TT-Line, and getting the job finished there as well, which was important during that election period. We had the ships being refitted. We had the wharfs been redone. It'd be interesting to know what was done there.

CHAIR - Are you happy to take that advice from the Department, who we have for another hour, and we only have the Premier for another six-and-a-half minutes?

Mr VERMEY - Yeah, look, I probably won't be lasting all the other time, so I thought it's important to -

Mr ROCKLIFF - I'm more than happy to speak about these matters, Mr Vermeij and Chair. It's obviously a very exciting opportunity. Within a matter of months, we'll have two new wharves, effectively, with Geelong and Devonport. We'll have two new ships. A total of 78,000 people looked at *Spirit V* through Dark Mofo. It's being fitted out as we speak. A very exciting opportunity. Again, like Marinus, it is great enabling infrastructure to support the Tasmanian economy, to bring Australians and those from elsewhere, to Tasmania, but also export our very valuable produce, and so more capacity to do both -

CHAIR - Thank you, Premier.

Mr WINTER - Back to Marinus, Premier. We asked the Minister for Energy about his awareness of caretaker. I said:

Is it pretty clear to you there was not a requirement for opposition parties to actually sign off?

Mr Duigan said:

Yes. That was my understanding.

I'm going to take it from that that there's an awareness within Government that the Opposition sign off wasn't required. My question, Premier, is: during that period of time, during that week, did you contact the Federal Minister for Energy at all in relation to this, and in that conversation did you express to him that it was a requirement for you that the opposition party would sign off on the deal?

Mr ROCKLIFF - My discussions were largely with the Prime Minister over the course of those weeks, and the Federal Government were very keen for the signing of the agreement. I wanted to make sure that we had briefed the Opposition, of course, and as many people as possible and to get all our ducks in a row, if I can put it that way. So, I had a conversation with the Prime Minister on a number of occasions around this matter and it was certainly put to me very strongly that the Federal Government were very keen to have the agreement signed. What was also evident from my point of view is that while caretaker conventions are important,

PUBLIC

strong bipartisanship, which I would have expected given we had indicated that the agreement is looking positive, that we would have had a Federal Labor Government and a Labor Opposition aligned when it comes to the benefits of Marinus.

Mr WINTER - At that time, publicly, Premier, you were telling the public that you required the Opposition to sign off in order for you to sign off on Marinus. You also put that in writing to myself and Dr Woodruff. Did you tell the Prime Minister or the Federal Minister for Energy that you required the Opposition to sign off in order for you to -

Mr ROCKLIFF - I wanted bipartisan endorsement for what is the -

Mr WINTER - Did you tell them that you required sign off from the Opposition under your caretaker conventions?

Mr ROCKLIFF - Well, I can't recall the exact nature of the conversation, except I certainly intimated that bipartisanship from the Tasmanian Government would be very helpful.

Mr WINTER - So, you threatened that if the Opposition didn't sign off on the arrangement that you wouldn't sign up to Marinus; is that correct?

Mr ROCKLIFF - No. I don't make threats.

Mr WINTER - Well, can you explain then, because I have to tell you, Premier, that I do recall what happened that week, and I recall phone calls from both the Federal Minister for Energy and the Prime Minister of Australia telling me that it was important that the opposition signed off on Marinus, and referring to our caretaker conventions. Did they make those calls because you'd asked them to?

Mr ROCKLIFF - Look, I'm not going to get into the nature of the calls with the Prime Minister, except to say that at that particular point in time, you know, we were wanting to ensure that we got the best deal for Tasmania and, the best interests I thought at the time, was to have strong bipartisan support.

Mr WINTER - Specifically, did you tell the Prime Minister that you required the Opposition to sign off before you entered into the Marinus agreement?

Mr ROCKLIFF - What the Prime Minister was very keen for us to do -

Mr WINTER - That's not an answer, Premier.

Mr ROCKLIFF - was to sign up. I had indicated my very positive recommendation, pending complying with caretaker guidelines, and, indeed, suggested that the bipartisan approach at a Labor level, as per caretaker convention, would be of great benefit, I thought, given at the time we wanted to make the best decisions in the interests of the Tasmanian people.

Mr WINTER - So, you called the Prime Minister of Australia and falsely claimed that the Opposition needed to sign off?

PUBLIC

Mr ROCKLIFF - I'm not going to be verballed by you, Mr Winter, and play your political games on this.

Mr WINTER - You haven't answered the question on two occasions.

Mr ROCKLIFF - I have answered it. I have answered it, and -

Mr WINTER - As you haven't answered almost any question today.

Mr ROCKLIFF - Well, with respect, I staked my leadership on this decision. There was commentary at the time that this decision was very courageous under the circumstances, given the nature of negotiations at the time, in terms of the uncertainty of who would form government, and knowing full well a number of crossbenchers', including the Greens', position on the Marinus situation. So, from that point of view, I thought it very important to get strong bipartisan support from the major parties within the Parliament. Given your inconsistency on Marinus Link, in terms of supporting, then not supporting and then maybe supporting, I thought it would be beneficial to ensure that, given the significance of the agreement and the benefit of Tasmania, that strong bipartisanship was necessary.

Mr WINTER - I just want to ask the quite specific question for a third time: did you tell the Prime Minister of Australia that you required the Opposition party to sign off on Marinus before you entered into the agreement?

Mr ROCKLIFF - I certainly indicated to the Prime Minister that bipartisan support would be very good.

Mr WINTER - So, is that a yes to the answer?

Mr ROCKLIFF - I'm not going to be verballed by you.

Mr WINTER - So, you're not going to answer the question?

Mr ROCKLIFF - I've answered it.

CHAIR - Thank you. Just noting the time, Premier, I believe you are departing us and everyone else will be staying. For those of you that are in the room, we will just take five minute break and come back for you there. Thank you, Premier -

Mr ROCKLIFF - Thanks, Chair.

CHAIR - and you are well aware of the parliamentary privilege, so I won't read out to you that statement, but we will come back and do that at the end of this hearing.

The Committee suspended at 1.01 p.m.

The Committee resumed at to 1.06 p.m.

Department of Premier and Cabinet (DPAC)

Ms KATHRINE MORGAN-WICKS, SECRETARY, **Ms LISA HOWES**, CHIEF GOVERNANCE AND RISK OFFICER, DEPARTMENT OF PREMIER AND CABINET and **Mr SHANE GREGORY**, ACTING SECRETARY, BUILDING TASMANIA WERE RECALLED AND EXAMINED via TEAMS.

CHAIR - Coming back after that five-minute break, all three of you have already been sworn in, so we don't need to do that process again and we can jump straight into questions.

Mr WINTER - I wanted to ask about the understanding of caretaker conventions when it comes to the Marinus decision. We heard evidence from Anne Twomey only a couple of weeks ago that, in her experience, caretaker conventions more generally don't require the Opposition to sign off. In reading the caretaker conventions in Tasmania, it's quite clear that they're not required. Was there any point in time in which DPAC or any other agency provided advice to Government that it was required for an opposition party to sign off as part of caretaker conventions?

Ms MORGAN-WICKS - So, thank you, Mr Winter, for the question. At various points of time throughout caretaker, we were providing advice. So, that is, the Department of Premier and Cabinet - and I need to find a better word than caretaker - but caretaker for the caretaker conventions and guidelines in relation to their application and, certainly, we were working on the Marinus transaction on a daily basis through our participation in the Energy Executive Steering Committee. I might ask Mr Gregory, who was actually aware of the first provision of advice, particularly to State Growth in relation to the application of caretaker, and then I'd probably also comment in the end just prior to the actual making of the FID decision.

Mr GREGORY - Thank you. There was a lot of discussion, and I refer back again to the [Energy Executive] Steering Committee. When the election was called, there was a lot of discussion in the steering committee, and the Secretary of State Growth who chaired the committee was very keen to understand what the obligations were with regard to caretaker conventions and consultation. There was even discussion around the fact that there had been consultation in the prior year [2024] around Project Marinus during the caretaker period, so there was a lot of discussion. We provided some advice - there was advice provided from various entities to form a solid view. That advice was fairly simple: that we believe the Project Marinus decision FID did trigger the caretaker conventions. It needed a consultation with the Opposition. In a, I guess, a strict and narrow definition - interpretation, it certainly needed consultation with the Opposition, and we also provided some advice that we thought there might be an interpretation of a broader piece of consultation, but certainly there needed to be consultation with the Opposition, and that's the advice we provided, was with a sense of consultation and that's essentially the advice we provided. We thought there was no interpretation of the caretaker guidelines that wouldn't require consultation with the Opposition.

Ms MORGAN-WICKS - And then, because I was away for a period of caretaker, overseas on duty, upon my return I provided advice in relation to the consultation requirement for the FID documentation, the actual making of the FID decision by Government, and

probably referring in terms of Clause 2.5 of the caretaker guidelines, which relates to the making of major policy decisions that you would usually consult the relevant Opposition spokesperson or spokespersons beforehand. Our advice was to actually go beyond that, given the significance of the Marinus transaction.

We've had many conversations as officials and then many conversations in relation to how far that would go, but we were quite concerned about the actual size of the transaction and significance of the transaction that was being entered into, but also given that there - and I note the Premier's concern in conversations with me about making sure that it was also a decision able to be made by a legitimately elected government, noting the conversations that were occurring at that time in relation to the forming of government. So, we went beyond the caretaker guideline in terms of who was going to be consulted on the decision.

Now, the guideline itself says that the requirement to consult does not require the Government to obtain the endorsement of non-government parties, but it doesn't say that you cannot seek the endorsement of other non-government parties. Again, there were conversations in relation to that bipartisan seeking, which I understand was also consistent with the previous caretaker where there was consultation and seeking the support of the opposition in relation to a Marinus transaction. I can't actually comment on the details of that, because I wasn't the Secretary of DPAC in that caretaker period, but seeking the support for that transaction in the prior caretaker.

Mr GREGORY - I do recall, which is, I think, relevant to the question, or has a relevance to the question, is that in the advice we provided from DPAC through to the [Energy Executive] Steering Committee chair, was that given the significance of the decision, that written advice could be sought from the Opposition indicating what to proceed with the FID, we were, in fact suggesting that, not saying that there had to be written support, but suggesting, given the significance, that that could be done.

Mr WINTER - Just back to that, and I do appreciate the overview before we get into the detail, but specifically: was there any point in which advice was given to Government that caretaking conventions required the Opposition to sign off?

Ms MORGAN-WICKS - I don't think that - so in terms of the advice, I didn't specify advice as a requirement of the caretaker guidelines. We provided our best advice, given the significance of the transaction, to go beyond the caretaker guidelines, which are only guidelines. We hadn't seen a transaction like this determined in a caretaker period in living memory. So, given the size of it and being conservative bureaucrats that we are, we actually advised in terms of going beyond to the people who actually consult and brief, and spoke about our advice in relation to seeking bipartisan support for such a large transaction that was going to affect the Tasmanian community.

Mr WINTER - The Premier, I think it was on the Wednesday [30 July 2025], outlined publicly that he was going to seek legal advice, having failed to receive bipartisan support. Did you assist him to - did he receive that legal advice from DPAC?

Ms MORGAN-WICKS - Legal advice was sought in relation to various elements of the FID decision. And in terms of the timing of which, I do believe, yes, actually on that Wednesday [30 July 2025] and in fact probably each 24 hours, I was in multiple conversations with the Crown Solicitor, Mr [Stephen] Bendeich, and also in terms of seeking advice from the

PUBLIC

Solicitor-General in relation to the points in which a FID decision could be taken, and also whether the Tasmanian Government was able to make that decision and, in particular, in relation to section 69, for example.

CHAIR - Can you please outline for us the protocols and processes that you have in place for investigating any potential breaches of caretaker, and whether those are something that you have in the background that runs for each caretaker period? Or is it something that's very specific to the individual caretaker mode?

Ms MORGAN-WICKS - Yes, happy to. In relation to the caretaker guidelines and why it is critical that we immediately communicate any update to the caretaker guidelines to all state servants, as head of the State Service, I communicate that to all state servants. We provide it through to our statutory entities, including our Government Business Enterprises or statutory authorities. But we have certainly, in the main, in terms of allegations of breach or other, or seeking advice about the best way in which to manage a transaction or the making of a decision, it is usually in relation to the potential for a state servant to be in breach of the caretaker guidelines. And we have very detailed processes by which, if a state servant is alleged to have breached the Code of Conduct of the *State Service Act* that we would undertake an investigation or assessment under Employment Direction 5.

CHAIR - If you feel or hear that there has been a potential breach of caretaker conventions, do you have set protocols and a set process to investigate that? Or is it something that's managed on a case-by-case circumstance?

Ms MORGAN-WICKS - I should note that this is a matter that, for example, it depends on the type of individual - so whether they are a state servant or not, as to the protocol that would apply to an investigation of potential misconduct. That is a matter for, if it's a state servant, the head of agency that that state servant works in. If it's a Government Business Enterprise, it is a matter for the Chair of the Board of that GBE or other statutory authority, et cetera.

But as the head of the State Service, I take a coordinating role and can provide advice in relation to caretaker guidelines to those Chairs should they seek it or if I request their response in relation to the potential breach that's been identified.

CHAIR - Correct me if I'm misinterpreting what you've provided, but it's predominantly based on an individual employee who may have made the breach and you investigate that based on their employment circumstances? Is that accurate?

Ms MORGAN-WICKS - Yes, Chair. For example, we could receive a complaint about a paramedic standing with a particular political party or being asked to stand at a media conference in uniform. I may receive information and I would request then a response from the head of the Department of Health in relation to that employee. We would look at, too, the caretaker guidelines for that guidance. But depending on that type of employee, we would look at what potential disciplinary matter would apply to them.

Mr WINTER - Did DPAC ever provide advice that caretaker convention did not require the Opposition to sign off?

Mr GREGORY - No. I'd like to clarify again, I was involved in quite a number of discussions and pieces of advice. That advice was to the Energy Executive Steering Committee chair. And no, I was never involved in any advice to say that wasn't required. We were advising on what was required under the guidelines, which was consultation.

Mr WINTER - Did DPAC consider that, under the caretaker conventions, that Marinus was a major policy decision?

Ms MORGAN-WICKS - Yes, we considered Marinus absolutely to be a major policy decision.

Mr WINTER - And so, 2.5, under major policy decisions, says:

The requirement to consult does not require the Government to obtain the endorsement of non-government parties.

So, do we agree that the opposition was not required to sign off?

Ms MORGAN-WICKS - The requirement to consult does not require it, but it does not forbid a Government asking for it.

Mr WINTER - I think I've got my answer some hour into the hearing that there wasn't a requirement for the Opposition to sign off. But to go to that consultation piece, what happened from Members of Parliament's perspective was that we received a letter late on the Monday [28 July 2025] inviting us to hearings that commenced on the Tuesday [29 July 2025] morning. We were provided - in fact, it was in this very room I'm sitting in, if I recall correctly, thousands of pages of documents and given a limited time to consume them, and we weren't allowed to take anything away. Was that consistent with the advice provided to the Premier and Energy Minister that that's how this should have rolled out?

Ms MORGAN-WICKS - I note Mr Gregory may also add to this, but in terms of the thousands of pages of documents, which is also what was provided to Cabinet Ministers in terms of a period of time through which to get through very, very technical and complicated material, we'll absolutely admit to that. And certainly, we had our own challenges in getting across this also.

The recommendation and the arrangements were that the material - I think it was a two-to three-hour consultation briefing with relevant experts from the departments that were involved, so, the Department of State Growth, Department of Treasury and Finance, and supporting officials - and that the material was then made available under supervision, fully unredacted material - and quite a lot of conversations were had about should this be redacted given the commercial-in-confidence nature of a lot of the material that was in there. We had to seek the approval of the Commonwealth, the approval of Hydro, of TasNetworks, of Marinus Link in terms of the actual use of that information.

But that material was provided in those rooms not just for a matter of hours, but for the remainder of that day and for the days following, under supervision. We acknowledge that the materials weren't able to be removed from the room and that was the advice from the Crown Solicitor in relation to the confidential nature of aspects of that documentation at that time,

noting that we were yet to also execute those documents in order to make that Final Investment Decision.

We also made the material available at the offices of the DPP here in Launceston, I think, noting the location of various members to attend and inspect those documents. We made the material available in Burnie at the request of a Member of the Upper House in relation to inspecting those documents, is my recall. We also provided officials to be - basically were on pretty much 24/7 availability to answer any questions that people had in relation to those documents, noting their complexity and the technical nature of them, or should, in the days following, they wish to continue to inspect those documents.

Mr WINTER - The specific question, though, was the way that that consultation rolled out, was that consistent with the advice that you provided to Government?

Ms MORGAN-WICKS - Yes. It was.

CHAIR - Thank you. I will just check before we move on that Mr Garland didn't have anything further to add to that.

Mr GARLAND - No, I'm good, Tab, thanks.

CHAIR - Okay, Mr Winter just has one more.

Mr WINTER - You've noted that this was a - you know, didn't just happen that week, this was happening right throughout the election period, and I understand why, it's a big project. Was there any point in which you advised Government to engage with the Opposition earlier? There was reporting that the Energy Minister, and potentially department, wanted to brief the Opposition, and that was blocked by the Premier; was that reporting correct?

Mr GREGORY - Look, the simple answer to that through that time was: we had provided advice that there was a need to consult. That was quite clear under the guidelines. Materials were still being finalised. I'm not aware of any refusal to brief. We simply provided advice that briefings or consultation did need to occur. When we provided that advice, we were doing that on the basis of the consultation that would occur strictly under the guidelines. In other words, between - and our advice was to Government: you need to consult with the Opposition. How Government formed a view of how they were going to do the consultation, I'm not aware, but I'm certainly not aware of any instruction back to us that there was going to be any delay or holdup in any briefings.

Ms MORGAN-WICKS - Yes. In fact, I mean, if I may add to that, Mr Winter, you know, teams and people at State Growth were preparing those documents right up until the minutes prior to the briefing that was actually provided, in all honesty, particularly, just given the complexity and the information that we were attempting to get across and to make sure that we were providing as fulsome and as accurate briefing as possible, but we were right down to the final wire in terms of actually pulling this package of material together so that we could provide a fulsome brief.

CHAIR - Thank you. For the sort of holistic evidence of this Committee, can you please talk us through - and I appreciate that you touched on it previously with the Premier - but if

you could talk us through the steps that you undertook to investigate the specific matter of Tasracing's message to industry about TasInsure that was sent out during the caretaker time?

Ms MORGAN-WICKS - Yes, thank you, Chair. So again, it's a bit of a team effort between Mr Gregory and I, but certainly following the line of questioning that occurred at Government Business Enterprise Estimates that Tasracing appeared at, the Premier asked me to look into the matter, and in particular to speak with the Chair of Tasracing in relation to what had occurred; but noting that, I recall at the time was that the Chair's - an immediate family member was very unwell, so there was a little bit of delay in us actually being able to speak with the Chair. I went on leave and Mr Gregory then spoke, so perhaps if Mr Gregory could talk to that sequence.

Mr GREGORY - Thank you. Well, take it as a matter of record that Tasracing did promote TasInsure during the caretaker period. I reached out to the Chair, and so I drafted a letter to him to seek some further information on any background to the release of that information or the promotion of TasInsure, just to understand from his perspective what had occurred. I called him briefly, and literally 10 or 15 minutes before I sent the email containing the letter and that was really just to give him a courtesy call and also explain that I'm going to be seeking some information, this is the gist of the letter. So, I forwarded that to him to really say, well, what happened here?

So, we know the outcome, that TasInsure was promoted by Tasracing, and in his response he essentially said, 'well, yes, we did promote the information. We were simply promoting this idea to the industry about this insurance thing that's likely to be - or possibly - coming along.' He indicated that he had contact, I believe, perhaps from you, Mr Winter, raising the issue that this had been published, and that Tasracing immediately took it down. There was subsequent discussion at the GBE Estimates. He said, 'yes we did. We were acting honestly in this way. It was brought to our attention. We took it down. We think it's all been dealt with.'

With that piece of information, going back, looking through the guidelines and reading that, I formed the view that perhaps naively, perhaps inadvertently, but clearly there had been a breach by Tasracing of the caretaker guidelines and, as I'd said before, by the time the Chair came back, and I reviewed and formed a view, Ms Morgan-Wicks was back from leave and we discussed it and from my view, I believe there was a breach of the caretaker guidelines.

CHAIR - Mr Gregory, sorry, can I just confirm that rough timeframe that you reached out to Mr [Andrew] Jenkins there about that, if you've got any -

Mr GREGORY - Yes. It was about the 9th, I think - 8th or 9th of January [2026] that I called him and - 6 January [2026].

Ms MORGAN-WICKS - I understand, Chair, that all of the correspondence that DPAC has issued is actually attached to our submission but just as a reminder, I think the original letter showing -

Mr GREGORY - It was 6 January [2026] I sent that letter to the chair and the staff. I called him 10 or 15 minutes before I emailed the letter. Then I think it was a period of two weeks before we got a response.

Ms MORGAN-WICKS - On the 19th [of January 2026].

Mr GREGORY - On the 19th [of January 2026]: and then having read that, I took it on face value that they were being quite open, that they acknowledged that they had provided - that they put that information out. They were saying they didn't endorse or recommend the commitment. That's why I felt they probably lacked the understanding of the caretaker conventions and that possibly, inadvertently, that they had breached them.

CHAIR - I can't see any correspondence here in the evidence, but I'm just wondering and that could be on me, but did you speak to Nick Turner at all from CorComms about the message, or exclusively to Mr Jenkins at Tasracing?

Mr GREGORY - No, I didn't speak to Mr Jenkins. I spoke and wrote to the chair, Mr Phair.

CHAIR - And you did not engage with Mr Turner from CorComms?

Mr GREGORY - No. As I say, I think it was quite clear as an issue of fact that there was information put out by Tasracing regarding TasInsure. I didn't think that was a matter of fact to be tested. I think that was quite clear in the public domain. It had been discussed at the GBE scrutiny, so I didn't think that was something that really needed to be tested; what I wanted to understand was what they had actually done and how they had responded once that was brought to their attention.

Ms MORGAN-WICKS - And also whether they understood, Chair, the caretaker guidelines. In each caretaker period, different transactions and different matters will happen and the importance, particularly from a DPAC perspective, is to actually review and we maintain a register of all matters and pieces of advice that are requested through the caretaker period and then to work out, well, does there need to be further advice? Does there need to be further guidance? How can we better qualify? Certainly, we tried to learn from the 2024 caretaker period and we did make amendments to the guidelines to make it really express that it applied, particularly in relation to our GBEs.

Are there further learnings to be had from this caretaker period? I'm sure there are. We will certainly ensure that those guidelines are kept up to date and we will also look to the findings of this Committee in relation to whether further amendments are required, and education and training, which clearly needs to be increased, and I certainly take that on in terms of sharing that with the entities that are required to comply with the guidelines.

CHAIR - Thank you.

Mr WINTER - Have you considered whether the communications from Tasracing breached - you've said about the caretaker conventions - any other laws?

Ms MORGAN-WICKS - If I may comment, Mr Winter, the employees of Tasracing are not state servants, so it is a matter for the Chair and the Board to conduct their own inquiries in relation to alleged breaches and to then determine what action they would take.

If I may comment, though, had it been in terms of a state servant, so if they've shared a particular - for example, if they received something on a personal email that they then shared with colleagues in the State Service, or we found a disclosure, we would look first to test their

understanding of the guidelines. But it would likely fall, if it was an Employment Direction 5 (ED5) matter, for example, into a breach, a reprimand, counselling and further education.

In terms of the severity of consequence for an ED5 matter for a state servant, that would be my judgment, as head of the State Service.

Mr WINTER - How many breaches of caretaker conventions did you identify in relation to the 2025 election?

Ms MORGAN-WICKS - This is the only one that I identified. We certainly received many, many requests for advice. We certainly provided advice, in terms of attempting to stop or ameliorate or advise against particular things occurring during the caretaker period, but this is the only breach that we identified during that time.

Mr WINTER - We'll move on to TT-Line, if that's okay, Chair?

Ms MORGAN-WICKS - Oh, sorry, Mr Winter, may I just add to that? I should say I think I previously provided advice also that heads of agencies and chairs of entities are also the ones that are responsible. If a matter had been identified to them, I can't speak to that. I can only speak as to the advice that was sought from DPAC.

CHAIR - Can I just ask one more question on Tasracing before we move on? You spoke about obviously the need for more training and better education and looking at how that would roll out. Can you give us a summary of what that will look like and what timeframe you're looking at rolling that out? Or is that something that would pop up again if - elections are hard to predict - but in a more immediate time before caretaker conventions come into play?

Ms MORGAN-WICKS - Thank you, Chair. It's certainly something that we would conduct right on the point of the announcement of caretaker, so that it is fresh and immediate, you know, in the minds. And I do believe that during the caretaker period, we [inaudible] reminders to staff in relation to the caretaker guidelines, but it would involve - and I certainly write to the head of each entity. We have developed training materials and a presentation on the reminder of people's obligations under the guidelines. We are still reviewing the guidelines post the 2025 election and also pending the outcome of this Inquiry, should further recommendations be made for amendment to the guidelines. But we would do it right on the point of calling.

Mr WINTER - Just one more. You mentioned secretaries having responsibility. What about ministers? For example, in the application of the guidelines, within the caretaker conventions, it talks about the guidelines applying to all ministers, staff and employees in State Service agencies. What's the role for ministers in overseeing whether caretaker conventions are upheld?

Ms MORGAN-WICKS - Ministers are required to uphold the caretaker guidelines. Certainly, my understanding is that the Premier shared the caretaker guidelines and wrote to each minister to provide those guidelines, I think just after I wrote to all State Service entities.

Mr WINTER - So, [former] Minister Howlett shared the TasInsure communications online from Tasracing. Is that a breach of the caretaker conventions?

Ms MORGAN-WICKS - So, in terms of - and I'd have to look at the material in relation to the sharing, so I don't know that I can comment on what Ms Howlett has done or not done, but certainly, should a minister allegedly breach the caretaker guidelines, it's a matter for the Premier to determine.

Mr WINTER - Sure. I'll move on to TT-Line, if that's okay? What role did DPAC play? Obviously, Marinus is a big issue, but TT-Line and its solvency or otherwise was also a big issue during this period of time. What advice was provided to the then-Treasurer, Guy Barnett, regarding his obligations in terms of consulting with the Opposition on the TT-Line solvency matter?

Ms MORGAN-WICKS - Mr Winter, to the best of my knowledge, DPAC did not receive any requests from TT-Line for advice in relation to the application of the caretaker guidelines during this period, and we didn't provide any advice or information to TT-Line during this period. I do understand that the Department of Treasury and Finance was providing advice in relation to its role, and I understand that Treasury will be appearing before this Committee. I suggest it's a matter to raise with them.

Mr WINTER - Sure. In that understanding you didn't provide advice, but the circumstances around that are a matter of public record, do the caretaker conventions require that a minister will consult with the Opposition before they make the decision? Or is it okay for them to consult with the opposition after they've made the decision?

Ms MORGAN-WICKS - In relation to a major policy decision?

Mr WINTER - In relation to the TT-Line matter, for example.

Ms MORGAN-WICKS - So, in relation to what decision?

Mr WINTER - The TT-Line financial decision.

Ms MORGAN-WICKS - With respect to increasing its borrowing limit?

Mr WINTER - Yes, yes.

Ms MORGAN-WICKS - Sorry, obviously a lot of decisions have happened in relation to TT-Line, so I want to make sure we're talking about the correct one.

In terms of, well, if any entity - and several entities obviously have borrowing limits that are agreed with TASCORP - that's a matter in terms of that entity and its correspondence with both the Department of Treasury and Finance, but also with TASCORP and the responsible minister for that entity. So, it's not usual for DPAC to be involved with respect to a financial support or borrowing limit matter unless we're also present at, for example, a committee of Cabinet that might be considering it, but noting that during caretaker there weren't necessarily such committees of Cabinet that were regularly running. So, it's a matter for, you know, the Department of Treasury and Finance to consider those requests and provide advice through to that responsible minister.

Mr WINTER - In this case, the Committee's received a submission that outlines that, in terms of the borrowing limit increase, the [then] Treasurer contacted the [then] Shadow

Treasurer, and rather than consulted, simply told the [then] Shadow Treasurer that the decision had been made and then announced it. Is that a breach of caretaker conventions?

Ms MORGAN-WICKS - I think, Mr Winter, I don't think I can just simply answer yes or no to that question. I'd need to look at what information was provided and consider carefully the guidelines - but I haven't turned my mind to that.

Mr WINTER - Are you able to take it on notice?

Ms MORGAN-WICKS - Yes, I'm happy to receive that question.

Mr WINTER - Thank you.

CHAIR - I want to quickly go back and clarify a piece on the follow-up that you did with Mr Phair and Tasracing when you determined that there was a breach of caretaker conventions. Is that where your investigation ended, just at that conclusion? Did you then pass that information on to the Premier, the relevant minister, and their office? What was the process from that final piece of correspondence that you've provided to the Committee?

Ms MORGAN-WICKS - Yes. I'm also just checking with Mr Gregory because he wrote one letter and I wrote one letter. I provided a copy of that correspondence through to the Premier because the Premier made the request to me.

CHAIR - Okay. So, at no point that was provided back from you to the [former] Minister for Racing. In making a decision around that Tasracing had breached caretaker conventions, did you reach out to the [former] Minister or the [former] Minister's office at any point to discuss that? Or was that not relevant to where you were looking at that point in time?

Ms MORGAN-WICKS - No, I don't recall speaking to the [former] Minister. My correspondence was directly with Tasracing, and I report to the Premier in relation to that matter.

Mr GREGORY - I think the reality is that, given that Mr Winter had made contact with Mr Phair and it had been discussed at GB - it was a matter of public record that the information had been published and promoted. And in my perspective, writing to Mr Phair as the Chair was really a matter of due process, and providing Tasracing with the opportunity to provide any additional information that might provide a different context which - and nothing in his response provided a different context to the outcome.

CHAIR - No, absolutely. Anything else from you, Mr Winter?

Mr WINTER - Just on other matters. Part of the Inquiry is looking into the advertising around the budget from Government to Pulse Media. The RTI that's been published and part of our questioning with Mr [Josh] Agnew from Pulse was around the decision to extend the advertising. I guess from a DPAC point of view -

Ms MORGAN-WICKS - Apologies, we've just got a technical issue, saying that it's about to turn off automatically, so we're trying to stop that happening. I apologise if it does. We'll come back on if it doesn't. We're okay. Sorry.

CHAIR - All good. The joys of technology.

Ms MORGAN-WICKS - Sorry about that.

Mr WINTER - The correspondence showed that it was the Premier's Government Media Office that was engaging directly around the advertising with Pulse. Is that normal or unusual for Government taxpayer money to be arranged directly by the Government Media Office, or is that a pretty standard thing?

Ms MORGAN-WICKS - I don't think I can comment on the standard workings of the Government Media Office. I don't know. To the best of my knowledge, all I can comment on is in terms of DPAC's involvement, and our involvement is an administrative one. When we receive a properly authorised invoice in relation to the payment of, for example, advertising expenses, we will scrutinise that and, if properly authorised, pay it.

Mr WINTER - Has DPAC engaged in the advertising of the budget at all over the last, say, one or two budgets, in a more standard sense?

Ms MORGAN-WICKS - Not to my knowledge. It might be something that's done by the Department of Treasury and Finance, but I don't want to speak for them. We obviously share a lot of the budget information, do presentations in relation to the budget information, but I can't speak to advertising. That is booked by the Government Media Office or MPS (Ministerial and Parliamentary Services) but it's not - DPAC has involvement from an administration of payment and finance perspective.

Mr WINTER - That's the perspective I'm asking you about. Is it unusual that the Government Media Office would be booking ads directly?

Ms MORGAN-WICKS - I don't know the way in which they usually book ads, but certainly in terms of the budget itself, is a function of Government. The budget information is shared across the Tasmanian community in a variety of ways. But DPAC does not, in itself, run the publication of the budget nor the advertising of it, so I don't think I can really comment further. I'm sorry.

CHAIR - You spoke before about considering some changes to the caretaker conventions, the policy or procedure. Are you able to share any immediate interim learnings that you have with the Committee today?

Ms MORGAN-WICKS - Probably, Chair, in just reflecting on the many items of advice, I'd say, in relation to the caretaker guidelines, the various modes of social media and the way in which information is reaching, for example, our State Service, and how rapidly people can actually share and distribute information is something that the caretaker guidelines are trying to stay up with. Certainly, it's a continuing education piece that needs to be undertaken.

Often we'll share this information at the start of a caretaker period and people think, 'Oh, that's a long guideline, am I actually going to get through it?' But from my time, for example, as the Secretary of the Department of Health, for a lot of staff that don't sit at a computer each day and want to sit there and read a guideline, we need to ensure that that information is getting out to paramedics that are driving ambulances. And not just to pick on them: our nurses and all of our staff that are working across really large operating services who are coming into contact

PUBLIC

with members of the community each and every day, are also liaising in terms of their own employer, representative organisations who will also be distributing information.

It's a very heightened time during the conduct of a political election campaign. We try to provide this guidance to staff to recognise that it needs to be an even playing field, and we need to make sure that we continue to run and provide the Tasmanian community with the public service that we are here as a job to do. But not to get in on anyone's side or provide anyone with any advantage in terms of that information and distribution.

It is educative. We need to keep reminding people of that and we will continue to do so.

CHAIR - Thank you. Just checking with Mr Garland online whether there's any final thoughts from him.

Mr GARLAND - No, all fine, thanks.

CHAIR - Anything else from you, Mr Winter?

Mr WINTER - No.

CHAIR - Excellent. Thank you all for appearing before us today. I just need to let you know that what you have said to us here today is protected by parliamentary privilege. Once you leave this virtual table, in your case, you need to be aware that privilege does not attach to comments you may make to anyone, including the media, even if you are just repeating what you have said to us. Do you understand that?

Ms MORGAN-WICKS - I so understand.

CHAIR - Thank you all again. And we'll stop the broadcast.

The Committee suspended at 1.52 p.m.

The Committee resumed at 2.00 p.m.

Tasracing

CHAIR - The third and final hearing of the House of Assembly Select Committee on Caretaker Conventions for today. Thank you for coming in. I'll just get you to each please state your name and the capacity in which you are appearing before the committee.

Mr PHAIR - Gene Phair, Chair of Tasracing board.

Mr JENKINS - Andrew Jenkins, CEO of Tasracing.

CHAIR - Thank you. Can I confirm that you've received and read the guide sent to you by the Committee Secretary? Thank you. As you will note, this hearing is covered by parliamentary privilege, allowing individuals to speak with freedom without fear of being sued or questioned in any court or place out of Parliament. This protection is not accorded to you if statements that may be defamatory are repeated or referred to you outside of the parliamentary proceedings. This hearing is public; the public and media may be present. Should you wish for aspects of your evidence to be heard in private, you must make this request to the committee at the time. Could you please take the statutory declaration, which is in front of you?

Mr GENE PHAIR, CHAIR, and **Mr ANDREW JENKINS**, CEO, TASRACING, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR - Thank you. Would you like to make an opening statement at all?

Mr PHAIR - No, I don't.

Mr JENKINS - Neither. Thank you.

CHAIR - No worries. Thank you. We'll go straight into questioning.

Mr WINTER - Thanks, gentlemen. Thank you both for being here today. The Committee is particularly interested in the TasInsure communications that came from Tasracing. Are you able to start by potentially explaining what, if any, engagement or interaction you had - Tasracing had - with the [former] Minister or her office before the text message and the rest of the communications went out?

Mr JENKINS - Yes. You're happy for me to take that, Chair? Thanks, Mr Winter, for the question. As I recall, the only direct interaction that I had with the [former] minister or the [former] Minister's office in relation to the matter was via a telephone call; the [former] minister and I were speaking on general racing matters prior to the SMS and so forth being released. During that conversation, as I recall, the [former] Minister simply confirmed to me that workers compensation insurance would, in fact, be within the scope of the TasInsure portfolio or suite of insurance products. I don't recall that there was any other direct engagement.

Mr WINTER - So, that call was on - I assume that's Wednesday 2 July 2025?

Mr JENKINS - The morning of.

Mr WINTER - So, the morning of Wednesday 2 July [2025], and there's been an announcement by the Premier on TasInsure and you're on a phone call with the [former] Minister for Racing about general racing matters. You've said that during that conversation, the workers compensation - that aspect of TasInsure was brought up. Did the [former] Minister raise the issue of TasInsure or did you?

Mr JENKINS - I can't recall, Mr Winter, whether we were having a - as I say, we were talking about whatever racing matters, as a normal course of interaction between the then-Minister and I. I can't recall.

Mr WINTER - Did the [former] Minister suggest that it would be a good thing for Tasmanian racing participants that TasInsure would cover workers compensation?

Mr JENKINS - Not as I recall. It was a simple statement along the lines of, 'While we're talking, I'll confirm that -'

Mr WINTER - Okay.

Mr JENKINS - - 'Workers comp is within scope of TasInsure.' That was it.

Mr WINTER - Okay, sure. And did the [former] Minister make any suggestion to you that Tasracing should communicate this to its industry members?

Mr JENKINS - Not at all, no. Simple update to me.

Mr WINTER - Okay. So, you had the conversation with the minister that day where she confirmed that TasInsure would include workers compensation for racing participants. Following that, can you explain to the Committee how it came about that Tasracing would decide to communicate that policy to its industry members?

Mr JENKINS - Yeah, certainly. Thanks, Mr Winter. So, having received that confirmation, it was ultimately my decision to send a communication out to industry - simply on the basis that, as I'm sure you're aware, Mr Winter, in particular for our thoroughbred trainers, the significant increase in workers compensation costs are crippling some of our trainers' businesses. And given the scope of the proposed insurance suite, I felt that that would be information that was relevant for our equine trainers, in particular our thoroughbred trainers.

Mr WINTER - There was no communication or encouragement from anyone in the Liberal Party or [former] Minister's office or Premier's office? None at all?

Mr JENKINS - Not at all.

Mr WINTER - Okay, thank you.

CHAIR - Just in relation to the policy detail that did go out, was that obtained exclusively from the conversation with the [former] Minister that you did have? Did you receive any other advice on the specifics of the TasInsure policy from the likes of TasFarmers or the Small Business Council?

Mr JENKINS - Thanks, Ms Badger. No, not that I recall.

CHAIR - Not from either of those, just from the [former] Minister's office?

Mr JENKINS - Correct. Yeah.

CHAIR - Thank you.

Mr WINTER - In terms of the broader context of this, you were contacted by DPAC in late December [2025], early January [2026], I think, perhaps to you, chair, outlining their concern and their belief you'd breached caretaker conventions.

Mr PHAIR - Or possible belief.

Mr WINTER - Possible belief, was it?

Mr PHAIR - At the time of the original letter, yes.

Mr WINTER - Can you explain to the Committee the -

Mr PHAIR - Absolutely. We received that letter, which was really a 'please explain', if I could put it in those terms, from the Acting Secretary of DPAC.

We responded in more or less exactly the same fashion as stated in the evidence we provided to you, and the scrutiny committee, in November [2025], which was the chain of events.

We then sent that letter back to the Acting Secretary and then - I'm not sure of the timeline, but a couple of weeks after that, the Secretary of DPAC sent a letter to me and to the Board saying that she had assessed that there was a breach of the caretaker convention, although it was inadvertent, and offering the opportunity for DPAC to be able to provide some training to Tasracing management in the future, should we wish.

I responded in a letter back to the Secretary saying, 'Thank you very much for your letter, and we will take you up on that offer of training when we require it.'

Mr WINTER - DPAC's given evidence that it sent its information about caretaker to GBEs and departments. Did Tasracing receive that at the commencement of the caretaker period? If so, what did it do with that information?

Mr PHAIR - I do believe that we did receive it. It is normal that we would receive it. As I sit here today, I can't put my hand on my heart and say I received the email, but we do receive it normally. So, I would say yes would be my answer; that they would have sent it, yes.

Mr WINTER - And did Tasracing distribute that information to its staff?

Mr PHAIR - Well, it's distributed to a number of people within Tasracing. I think the CEO gets it. It would be normal course for the Chair to receive it on behalf of the Board and for the CEO on behalf of management.

Mr WINTER - Okay.

CHAIR - So, in regard to the message to the industry itself, I'm sure you're both aware that we've had the Premier and we've heard from the former Minister and the [former] Minister's adviser, and they all insist that the [former] Minister's office was not aware of any plan to communicate this message publicly; do you have a view on those statements?

Mr JENKINS - Thank you. I don't, Ms Badger. I'm not of the view that it's for me to comment on the views of those Members of Parliament or their staff.

Mr WINTER - So, the crux of this is around the [former] Minister's knowledge and the [former] Minister's office's knowledge. The minister shared the communications that you put on Facebook at the time, demonstrating that she knew about it; are you absolutely certain that no-one at Tasracing spoke to the [former] Minister about the communications?

Mr JENKINS - Not beyond what I've advised earlier, Mr Winter. I can't foresee that anyone else within Tasracing would have cause to be in contact with the [former] Minister.

Mr WINTER - But, of course, we had Mr Turner who, on behalf of Tasracing, was engaging with Mr Gaetani, which is uncontested. What is contested is around what that advice was. Did you - would you have expected the [former] Minister's office to be - sorry, I should put it this way: did you talk to Mr Turner and ask him, or understand that he was going to speak to the [former] Minister's office about the communications going out?

Mr JENKINS - Not specifically, Mr Winter, though I would add that, if that were the case, and as you point out, it's not contested that there was relevant correspondence between those parties. I would ordinarily - I would not be surprised if that type of communication were to occur just as part of normal business, whether it be fact-checking or as a courtesy, that Mr Turner would ordinarily share that type of information.

Mr WINTER - Were there any other discussions with the [former] Minister or her office after the Wednesday [2 July 2025] morning phone call and prior to the communications going out?

Mr JENKINS - No, not that I recall.

Mr WINTER - And following that communication going out, has there been any further correspondence between yourself and the [former] Minister or her office around this communication?

Mr JENKINS - Not that I specifically recall. I don't believe we corresponded -

Mr WINTER - Phone calls? No communication at all?

Mr JENKINS - Not that I recall. No.

CHAIR - Before I jump into my next question, I'm just going to double-check that nobody online has been trying to put their hand up to ask a question. All good, thank you.

PUBLIC

Mr Jenkins, during the election campaign, it was on 8 July 2025, the Launceston Greyhound Racing Club wrote to you and other Tasmania racing officials to advise you of their plan to run a pro-greyhound racing advertisement in the *Mercury* and *The Examiner*. So, on 9 July at 1:02 p.m., you forwarded this email to Mr Turner from CorComms and the office of the [former] Minister for Racing for input on a response to provide to the club. You also provided a draft response that you had developed. You received a reply from Mr Turner at 1:09 p.m., where he provided some input to your draft response and then, at 1:13 p.m., you said that you would await comments from the adviser in the [former] Minister's office. Did you or anyone receive any comments from the [former] Minister's office or did you have any engagement from them at all?

Mr JENKINS - I would need to take that on notice if I'm able to do so, Ms Badger. I don't specifically recall that correspondence.

CHAIR - You don't recall the correspondence at all, or any response from the [former] Minister's office?

Mr JENKINS - I recall that there was an exchange as you've outlined. Whether there's anything subsequent to that, I can't recall. It was July.

CHAIR - All right. Could you take that on notice?

Mr JENKINS - Of course.

CHAIR - We might ask, if possible, if there is further email correspondence that could be provided to the Committee as a part of the evidence following up, as the precedent that a previous witness, Mr Turner, has done so as well.

Mr JENKINS - Certainly.

CHAIR - Thank you.

Mr WINTER - Chair, I know we're a little early, but I probably have got the questions that I've needed to be answered.

CHAIR - No worries. I will just ask -

Mr WINTER - Actually, I do have one that we could go to. To you, Chair: firstly, the annual report says that your term finished last month. Out of interest, you're still here. Have you been extended; is that correct?

Mr PHAIR - I've been extended under the *Acts Interpretation Act 1931* until such time as a new chair is selected.

Mr WINTER - Great, thank you. The text messages in particular also didn't carry an authorisation. Under the *Electoral Act 2004*, communication like that of a political nature requires an authorisation. Is that something that you followed up on, or has been followed up on with you by any relevant agencies?

Mr PHAIR - No, it hasn't. No.

PUBLIC

Mr WINTER - Has there been any other correspondence about any other breaches that may have occurred outside of just the caretaker conventions?

Mr PHAIR - No, none at all.

CHAIR - I will just try to help refresh your memory a little bit on some of these emails: I just note at 1:03 on 9 July [2025], you sent a final reply to the Launceston Greyhound Racing Club.

Mr JENKINS - Yes.

CHAIR - Your reply said:

Tasracing wishes to draw to the LGRC's attention a number of concerns and considerations relating to the advertisement.

The first of these reads as follows:

The two anti-racing independent campaigns, plus MLC Meg Webb, had their media opportunity and the issue passed. There is now a real risk that their views are being resurfaced in the media following the advertisement placed.

Another concern that was raised was:

The statement 'the code does not rely on taxpayer money', does not take into account the cost of running the code and further provides a lobbying angle for the anti-racers to remove the code's funding under the deed. This is especially concerning, given the possibility of a minority state government that may need to negotiate with independents to form government.

Do you recognise that both of those statements are overtly political in nature?

Mr JENKINS - I think they're an opinion that was shared with industry stakeholders for - in the context of our obligation to administer and protect the racing industries, so, my guidance was, as you've recounted, to not proceed with the statements as they were drafted.

CHAIR - Thank you. Marcus, do you have any questions that you would like to jump in now?

Mr VERMEY - No. I'm pretty right there. Thank you, Chair.

CHAIR - Thank you. All right. Anything else?

Mr WINTER - I'm finished. Thank you. Thank you, gentlemen.

CHAIR - All right. Just before we do wrap up, and I appreciate if you don't remember these emails particularly well, it is a little bit difficult. I understand that the purpose of you sending your email in response was to encourage the Launceston Greyhound Racing Club to withdraw this advertisement because of your concerns more or less about the benefit that it

PUBLIC

would provide to Independent candidates and the impacts it may have on ongoing negotiations to form government; that's what it says in black and white. Do you understand how unacceptable that concept is, that it was being asked to be withdrawn on those premises, not that of anything to do with the caretaker conventions?

Mr JENKINS - I understand the nature of the question. I don't believe that it was inappropriate to correspond with an incorporated entity who is licensed by Tasracing and share the views that I did, in particular in relation to the proposed statement from the club, Ms Badger, that was factually incorrect as regards funding of the industry, the greyhound code, rather, being self-funding. I thought it was appropriate to advise the club that that was not the case, as per the email.

CHAIR - Absolutely, that was one aspect of it. Of course, you were at that time in a taxpayer-funded position and we were in caretaker mode. Did that not be perceived by you at all to be a potential breach of caretaker conventions?

Mr JENKINS - No. I didn't perceive or intend that that correspondence would be in breach, no.

CHAIR - Despite its political nature and specifically naming some individuals?

Mr JENKINS - No. Again, it was not intended to be, or didn't have that intention. It was guidance to the club for the betterment of the industry.

CHAIR - It was done so in an overtly political nature. So, it does seem that we now have two situations from the 2025 state election campaign where Tasracing have breached caretaker conventions; can you think of any other potential breaches that may have occurred?

Mr JENKINS - No. No.

CHAIR - Thank you. Nothing from anyone else?

Mr WINTER - No, thank you, Chair.

Mr GARLAND - All good.

CHAIR - On that basis, I do have to read you a short statement after the evidence that you have provided. What you have said to us here today is protected by parliamentary privilege. Once you leave this table, you will need to be aware that privilege does not attach to comments you may make to anyone, including the media, even if you are just repeating what you've said to us here today. Do you understand that?

WITNESSES - Yes.

CHAIR - Thank you for appearing.

The witnesses withdrew.

The Committee adjourned at 2.22 p.m.