

Minister for Police, Fire and Emergency Management
Minister for Skills, Training and Workforce Growth
Minister for Resources
Minister for Racing
Leader of the House



Level 5, 4 Salamanca Place, Parliament Square Building HOBART TAS 7000 Australia
GPO Box 123 HOBART TAS 7001 Australia
Ph: +61 3 6165 7770
Email: minister.ellis@dpac.tas.gov.au

Hon Tania Rattray MLC
Committee Chair
Legislative Council of Tasmania — Short Inquiry into the Office of Racing Integrity
Via email: tania.rattray@parliament.tas.gov.au

Dear Mrs Rattray

Legislative Council of Tasmania — Short Inquiry into the Office of Racing Integrity

On behalf of the Tasmanian Government I would like to thank you and the other members of the Session Committee Government Administration 'B' that undertook the recent Short Inquiry into the Office of Racing Integrity.

The Government supports recommendations 1, 2, 3, 4, 5 and 7. The Government's response to the Report's recommendations is attached.

I am pleased to advise that many of the matters raised in the recommendations are well advanced in being fully delivered, especially those that relate to the development of the Racing Regulation and Integrity Bill.

The Government does not support recommendation 6 regarding the funding for the RSPCA for advocacy activities related to Government policy and legislative development. This recommendation is also not supported by the RSPCA.

Yours sincerely

Hon Felix Ellis MP
Minister for Racing
12/10/2023

Attachment

Government Response to the Legislative Council Short Inquiry into the Office of Racing Integrity (27 September 2023)

Background

As we have put on the record before, the Tasmanian Liberal Government is a strong supporter of the Tasmanian racing industry. Tasmania's racing industry generates more than \$185 million a year in economic activity in Tasmania, particularly benefiting rural and regional areas. Almost 6,000 Tasmanians are either employed in the industry or are direct participants, and the Government's support for the industry gives it the confidence to continue growing.

Probity and integrity are critically important in the racing industry and underpin confidence in racing across all three codes in the State – thoroughbred, harness and greyhounds. It goes to the heart of sustainability of the industry.

The Government is well advanced in progressing integrity reforms with the draft *Racing Regulation and Integrity Bill 2023* (the draft Bill) which will strengthen governance, integrity and animal welfare across all three codes of racing in Tasmania. The draft Bill incorporates the recommendations from the Monteith Review, which considered the racing integrity model in Tasmania and reviewed the *Racing Regulation Act 2004*. The Bill proposes the most significant proposed reforms to integrity in racing in decades.

The purpose of this draft Bill is to:

- Create a Tasmanian Racing Integrity Commissioner (TasRIC) with the power to set integrity and animal welfare standards for participants in the Tasmanian racing industry.
- Enhance integrity governance within Tasracing Pty Ltd (Tasracing), with Tasracing to become operationally responsible for all three codes of racing, including pre-race day and race day management, animal welfare and stewarding.
- Provide an additional advisory role for the RSPCA in animal welfare in racing, while retaining the power for independent investigation of animal welfare matters.

The proposed reforms are based on evidence of industry best practice. Their delivery will provide the Tasmanian racing industry with a modernised, effective and fit for purpose model for regulation and integrity.

To implement the proposed reforms, the Bill will repeal the *Racing Regulation Act 2004*, removing the Director of Racing and the Office of Racing Integrity (ORI), and assigning new functions, powers, and obligations to the TasRIC and to Tasracing.

The proposed reforms will separate Tasracing's commercial functions from its animal welfare and integrity functions, including its new licensing, registration, and stewarding functions. The proposed reforms will be aligned with strong oversight by the TasRIC, whose comprehensive audit, investigatory, and reporting powers will ensure integrity, probity, and animal welfare in racing.

The *Report of the Legislative Council of Tasmania, Sessional Committee Government Administration 'B' – Office of Racing Integrity – Short Inquiry* (27 September 2023) made seven recommendations.

The Government supports recommendations 1, 2, 3, 4, 5 and 7 and is well advanced in seeing them implemented in full.

The Government does not support recommendation 6 regarding funding for the RSPCA for advocacy activities related to Government policy and legislative development. This is consistent with the RSPCA's position that such activities should not be funded by Government.

The Government's response to the recommendations is as follows.

Recommendation		Government Response
1	The Murrihy Report in its entirety be publicly released in full as soon as practicable.	<p>Supported</p> <p>The Murrihy Report will be released publicly as soon as practicable, after the final report is completed.</p>
2	Legislative reform should be expedited to increase the independence of the Office of Racing Integrity.	<p>Supported</p> <p>Currently in progress and preparation for tabling to Parliament this year, the draft Racing Regulation and Integrity Bill and associated Consequential Amendments Bill, once enacted will:</p> <p>Establish the role of the Tasmanian Racing Integrity Commissioner (TasRIC) with powers to set integrity and animal welfare standards and comprehensive audit, compliance and investigatory functions.</p> <p>Provide for the repeal of the Racing Regulation Act 2004, removing Office of Racing Integrity and Director of Racing, assigning new functions and powers to TasRIC and Tasracing.</p> <p>Provide for enhanced integrity governance within Tasracing, with Tasracing operationally responsible for all three codes of racing including pre-race day and race day management, animal welfare and stewarding.</p> <p>Provide for an additional advisory role for the RSPCA in animal welfare on the Integrity and Animal Welfare Advisory Committee, while retaining power for RSPCA's independent investigation of animal welfare matters.</p> <p>Provide for the creation of the Tasracing Integrity Office, inclusive of Tasracing Integrity Committee, Integrity Director and Integrity Unit. These will be separate to commercial and administrative arms of Tasracing.</p>
3	The Monteith Review recommendations to improve animal welfare outcomes within Tasmania's racing industry be further progressed by the Government as a priority.	<p>Supported</p> <p>The Government is advancing the Government response to the Monteith Review's recommendations through the Racing Regulation and Integrity Bill 2023. The Tasmanian Liberal Government continues to advance animal welfare reforms:</p> <p>Since the Monteith Review, amendments have been made to Animal Welfare Act 1993, to ban the use of pronged collars, expanded authorised officer powers of entry, further clarified animal research arrangements, and provided additional sentencing options for animal cruelty and aggravated cruelty among other proposed changes.</p> <p>The Government has also recently announced a review of Tasmanian dog welfare regulations to ensure all dogs in the State have good welfare outcomes. A reference group with the Office of Racing Integrity and the RSPCA Tasmania has been created to</p>

		<p>immediately undertake a gap analysis of the current dog welfare regulations against the TasRacing Greyhound Animal Welfare Manual (2015) to ensure contemporary, enforceable welfare standards for greyhounds in Tasmania.</p> <p>In addition, TasRacing is continuing to progress the development of an equine welfare Code of Practice in racing across Australia, in partnership with other jurisdictions.</p>
4	The existing Members' Statement of Expectations for Tasracing should be contemporised to include compliance with the Animal Welfare Act 1993.	<p>Supported</p> <p>The Statement of Expectations review has commenced and will conclude once the Racing Regulation and Integrity Bill is enacted as legislation.</p>
5	The Government should ensure Tasracing has sufficient resources to fully fund retired greyhound rehoming services across industry and private providers.	<p>Supported</p> <p>The Government takes the welfare of greyhounds seriously and will continue to work with industry and rehoming providers to ensure animal welfare is a priority.</p> <p>The role of ancillary rehoming agencies is acknowledged and supported through Tasracing's funding of the mandatory desexing of all greyhounds on retirement.</p> <p>Further support for private rehoming providers will be offered through Tasracing soon-to-be-introduced Racing Animal Welfare Grants (RAWG) program. This initiative will provide funding for all eligible organisations meeting Tasracing's racing animal welfare criteria</p>
6	Ensure funding agreements with the RSPCA Tasmania include funding for advocacy activities related to Government policy and legislative development.	<p>Not supported</p> <p>Natural Resources and Environment Tasmania (NRE Tas) through Biosecurity Tasmania has primary responsibility for the <i>Animal Welfare Act 1993</i>, with RSPCA Tasmania undertaking agreed animal welfare inspectorate activities under a Memorandum of Understanding with the Department of Natural Resources and Environment Tasmania.</p> <p>Under the new model proposed in the <i>Racing Regulation and Integrity Bill 2023</i> cooperation will be facilitated through the Integrity and Animal Welfare Advisory Committee which includes the TasRIC, Tasracing, the Department of Natural Resources and Environment Tasmania (Biosecurity Tasmania) and RSPCA Tasmania will support animal welfare in the racing industry.</p> <p>The Tasmanian Government will provide funds to the RSPCA Tasmania based on agreed objectives with a focus on activities, projects, and inspectorate services.</p> <p>The RSPCA Tasmania has an advocacy role independent of Government and has indicated to Department of Natural</p>

		Resources and Environment Tasmania it will not be seeking funding for provision of advocacy services relating to Government policy and legislative development.
7	Ensure complaint handling processes between the Office of the Minister and the Department are clearly defined in relation to conflicts of interest.	Supported The Department of Natural Resources and Environment Tasmania is currently updating its External Complaints Handling Policy & Procedure to clearly define the process in relation to conflicts of interest.