



# **PARLIAMENT OF TASMANIA**

## **TRANSCRIPT**

### **HOUSE OF ASSEMBLY**

### **ESTIMATES COMMITTEE B**

Hon. Jane Howlett MP

**Wednesday 25 September 2024**

### **MEMBERS**

Mr Simon Behrakis MP (Chair)  
Ms Ella Haddad MP (Deputy Chair)  
Mr Vica Bayley MP  
Ms Kristie Johnston MP

### **OTHER PARTICIPATING MEMBERS**

Ms Janie Finlay MP  
Ms Tabatha Badger MP  
Ms Helen Burnet MP  
Mr Dean Winter MP  
Mrs Rebekah Pentland MP  
Ms Jen Butler MP



**IN ATTENDANCE**

**HON. JANE HOWLETT MP**

Minister for Primary Industries and Minister for Racing

**Deidre Wilson**

Deputy Secretary Primary Industries and Water

**Rae Burrows**

General Manager, Biosecurity Tasmania

**Robin Thompson**

Director of Racing



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The committee met at 9 a.m.

## DIVISION 7

(Department of Natural Resources and Environment Tasmania)

**CHAIR** (Mr Behrakis) - The time now being 9 a.m., the scrutiny of the Primary Industries and Water portfolio will begin. I welcome the Minister for Primary Industries and Water and other witnesses to the committee. I invite the minister to introduce persons at the table from left to right, including names and positions for the benefit of Hansard.

**Ms HOWLETT** - Thank you, Chair. At the table with me to my right is Deidre Wilson, Deputy Secretary of Primary Industries and Water, Department of Natural Resources and Environment Tasmania; and to my left is Anita Yan, Deputy Chief Operations Officer, Department of Natural Resources and Environment Tasmania.

**CHAIR** - Thank you, minister. The time scheduled for the Estimates of the Minister for Primary Industries and Water is two hours. We will take a short break for morning tea at 11 a.m. The resolution of the House provides for a minister to provide additional information to a committee either later that day or in writing as an answer to a question taken on notice. To submit a question on notice, the member must first ask their question to the minister and the minister must indicate they will take it on notice. The member must then put the question in writing and hand it to the committee secretary so it can be included in correspondence to the minister for answer.

I remind you that the microphones are sensitive, so I ask you to be mindful of Hansard and be careful when moving your folders, documents and water glasses around the table. Also, it is difficult for Hansard to differentiate when members are talking over each other, so I would ask that members speak one at a time to assist with this.

I'll just note as the last couple of days, the order provides for ratio of questions rather than number of questions, so I'll allow members to follow their lines of questioning as long as that proportionality is maintained. Rather than members seeking the call, we will just go around that rotation as we've been doing the last few days.

Minister, would you like to make an opening statement?

**Ms HOWLETT** - Yes, Chair, thank you. The 2024-25 Budget focuses on the delivery of our 2030 Strong Plan for Tasmania's Future. In my portfolio of Primary Industries and Water, the 2024-25 Budget delivers our important funding commitments. I'm sure many of you have heard me say that the agriculture sector is a lifeblood of our state and I will always back our farmers, which is what this budget does.

Tasmania's agrifood sector is critical in supporting private jobs and public services throughout our community. The most recent measures show that the agriculture and seafood sectors are worth a total of \$2.34 billion a year in raw value but more than \$5.5 billion a year when packed and processed.

Whilst some of our measures are responsive to current and recent circumstances, ranging from drought to flood in the same half-year, most of the funding is directed strategically

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towards continued growth as we strive to reach the target of an agriculture sector worth \$10 billion a year in farmgate value by 2050.

Already, the seasonal hardship grants program has paid nearly \$4.1 million for 549 grants to farmers on King Island and Flinders Island and on mainland Tasmania since the support scheme commenced earlier this year.

Looking ahead, the Budget backs important research and development, and it supports individuals or groups active in building agricultural communities. For example, there is a further \$2.5 million over three years to supercharge the highly successful strategic industry partnership program, which assists a variety of agricultural organisations to support producers and agribusinesses; and \$1.6 million for an agricultural innovation fund supportive project to help farmers better understand influences on irrigation efficiency, amongst other things. The Budget backs farm businesses to move up to the next level with low interest loans through the AgriGrowth Loan Scheme, as well as loans of up to \$250,000 under a Young Farmer Support Package.

The good management of Tasmania's freshwater resource is vital to both farmers and the rest of us, so there's an extra \$1 million over three years to implement the Rural Water Use Strategy, taking the total commitment to \$6.5 million. We are committed to our share of funding for the \$301 million Greater South East Irrigation Scheme. It's now up to the Australian Government to come to the party.

Also integral to our primary industries is our world-class biosecurity system. The government will invest almost \$13 million in biosecurity through this Budget, including a \$7.9 million boost for frontline biosecurity services, \$3 million over four years to strengthen resources and expertise, \$1.2 million over three years for additional biosecurity officers, \$500,000 over four years to support Tasmania farmers to continue to enhance on-farm biosecurity, and \$300,000 a year for three years so that industry groups like Fruit Growers Tasmania can help maintain community awareness.

Animal welfare gets a boost with \$3.2 million over four years for the RSPCA Inspectorate, and separately \$400,000 to attract and retain vets, especially in rural regional areas.

The 2024-25 Budget also funds a range of other election commitments: \$350,000 to support multi-use structure at Quercus Park, the home of Agfest, \$800,000 for farm-based education programs to inspire and engage students, \$340,000 to highlight the diversity of careers in the ag sector, and also \$1.5 million over three years to drive growth and sustainability in Tasmanian wine production. Something I'm particularly proud of in my electorate is a \$1.5 million investment into Tasmania's first shearing and wool handling innovation centre at the Campbell Town Showgrounds.

This government has a strong record of supporting our \$2.3 billion agriculture sector. I will always back our farmers. Our 2030 Strong Plan for Tasmania's Future builds on that. With the investment that the 2024-25 budget provides, there is more in our Budget besides this. Chair, I welcome your questions.

**Ms FINLAY** - I want to point to some work we did in the parliament last year around the Water Miscellaneous Amendments (Delegation and Industrial Water Supply) Bill. I'm

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interested in the benefits that can bring to Tasmanian farmers, to my electorate of Bass to start with. I am wondering about the status of Tamar Irrigation Scheme and the benefits that can bring to those farmers in the area.

**Ms HOWLETT** - That's a very important question. We all know that irrigation is certainly a game changer to our farmers. The Tamar Irrigation scheme was originally designed as a 24,500 megalitre scheme. This was based on strong expression of interest. Water sales fell short of the required threshold to support a scheme of that size. The scheme was redesigned in 2023 as a 13,500 megalitre scheme covering the west and east Tamar regions, including Dilston, Rowella, Beaconsfield, and into Pipers River and Pipers Brook.

At completion of an extensive sales campaign in February, confirmed sales for the Tamar scheme again did not meet the necessary threshold. Demand expressed was only 39 per cent of the required irrigator funding commitment to justify a 13,500 megalitre scheme. Tasmanian Irrigation is now working with the Tasmanian Government, including Renewables, Climate and Future Industries Tasmania, to see whether a scheme that supports both agriculture and green hydrogen production is feasible. I believe minister Duigan spoke to this matter yesterday in his scrutiny.

**Ms FINLAY** - That was in the upper House. I'm interested to speak to minister Duigan this afternoon. The reality is that last year as a matter of urgency, there was an urgent announcement, there was urgent work, there was urgent drafting. We spent days in the parliament to pass the legislation to provide that connection between the industrial water and the Tamar scheme in order to deliver it. My question is, what are the impediments of delivering that? The water needed to be a game changer for the farmers in the Tamar Valley. We've already got Bell Bay, we've got funding at Bell Bay, we've got an industrial use for water and the need for the primary industries' use. What is stopping those projects coming together to deliver water to the farmers of the Tamar Valley? Specifically, what's stopping that?

**Ms HOWLETT** - As I said before, demand was expressed and we only had 39 per cent of the required irrigator funding commitment.

**Ms FINLAY** - I appreciate that. Because we already knew that the scheme wasn't viable on its own, there was urgent legislation passed through the parliament. That took days of effort of the parliament. It says that that's the purpose of bringing on the Tamar scheme. There is a need for industrial water. There is a need for water in the Tamar for our farmers. All the instruments are in place to do that; it just requires a decision. My question is: why have you not made that decision?

**Ms HOWLETT** - As you are aware, we have been out for water sales twice, and -

**Ms FINLAY** - Sorry, if I could ask a clarifying question?

**CHAIR** - Ask your question, but if you let the minister answer, you will get a follow-up question if you need to further clarify. Yes, ask your clarifying question, but if we can do this where there are as few interjections as possible.

**Ms FINLAY** - The clarifying question: I am fully aware that the water sales did not meet the mark required to deliver a standalone scheme. That is clear, because we spent days in the parliament moving new legislation. There is water required to be delivered to Bell Bay. If you

put those two things together, which was the purpose of the legislation, then you can deliver a scheme. As I understand it, there are no impediments to that happening. We had a purpose, we have delivered the instrument for that purpose, now it just requires a decision from you to say, let's put those two things together and deliver water so the farmers get the benefit on the way through. What is stopping that happening?

**Ms HOWLETT** - Tasmanian Irrigation is now currently working with the government - including, as I mentioned, Renewables, Climate and Future Industries Tasmania - to see whether a scheme that supports both agriculture and green hydrogen production is feasible. So, we are currently looking into that and working on that.

**Ms FINLAY** - If I could have that follow-up question, then? Thank you, Chair. That is all very clear. Everyone was very aware of that before we even put the legislation through the parliament. My specific question is: what is stopping that action happening to deliver that water? We already knew that we need to determine if it was feasible. That is why we put the legislation through the parliament. All the instruments are available. What is holding it up?

**Ms HOWLETT** - We are looking at all options.

**Ms FINLAY** - So, your inability to take action is what is holding it up?

**Ms HOWLETT** - Well, no -

**Ms FINLAY** - If you could get the job done and you deliver water to the farmers -

**CHAIR** - Order, Ms Finlay.

**Ms HOWLETT** - As I have mentioned, Ms Finlay, we are looking at all options.

**Ms FINLAY** - There are only limited options. The legislation is limited in terms of its target purpose; it is limited to industrial water and irrigation water. We have farmers, we have Bell Bay, we have a pipeline provider in TI, we have ReCFIT. They all need to come together and press the button and say 'go' to deliver water to farmers and also to Bell Bay. I am interested in understanding what is actually delaying this.

**Ms WILSON** - Through you, minister, I would not describe it or characterise it as a delay. I would characterise it as a process a well-trodden path for Tas Irrigation. Tas Irrigation goes to the market, it tests the scheme. If that scheme does not meet demand or it does not have enough demand, then it goes out again. In this case, that is what has happened, it is at 39 per cent and therefore, Tas Irrigation needs to, as the minister said, engage with the Renewable Climates and Industries Tasmania, our ReCFIT group, around what the options are.

**Ms FINLAY** - Thank you. That was actually my first question. It is like a jigsaw puzzle. You have farmers, you have industrial water, you have legislation that now allows you to link them because previous to the legislation you couldn't link them. There are users that need the water. There is a Bell Bay development that needs the water. You have been given all the processes that you need to deliver it. There is something that is holding it up. I would like to understand what that is. It is not about the process of asking for water sales. You have everything needed. As the minister, you can make the decision to press the green light and allow water to flow to the farmers and to Bell Bay.



**Ms HOWLETT** - Thank you, Ms Finlay. I have provided as much information as I can, and I believe I have answered your question.

**Ms FINLAY** - Okay, thank you.

**Ms BADGER** - Minister, there have been multiple studies on the health impacts for the use of the chemical Paraquat. It is banned in 69 countries. What is the Tasmanian government doing in this space? What research are you doing in assessing the possible legacy impacts that it has on our farmers? Are you going to be following suit with many other countries and working towards banning it when there are other options now available?

**Ms HOWLETT** - I thank the member for her question. Paraquat is a broad-spectrum herbicide used to control a range of weeds, especially where there is resistance to other weeds. The Australian Pesticides and Veterinary Medicines Authority, APVMA, is currently conducting a review of the chemical, and that review is open for public consultation until the 29 October this year. Paraquat can be very dangerous as a chemical when not handled according to its label, which is why there are restrictions on sale and its use in Australia. The ABC recently ran a story on their *Landline* program linking Paraquat to cases of Parkinson's disease, and the APVMA Paraquat Review technical report of July this year indicates that there is currently no scientific evidence to support these assertions.

It is however very important to me and to this government that our farmers, farm workers and contractors, can conduct their work in a safe environment. Therefore, if any evidence arises that results in the APVMA changing its advice on this chemical, then we will be taking it very seriously. The use of such agricultural chemicals in Tasmania is managed under the *Agricultural and Veterinary Chemicals Control of Use Act 1995*.

**Ms BADGER** - Back to my original question, what is the Tasmanian government doing? It is under review. What are you contributing to that scientific research that you've stated is inadequate. It has been proven to have very detrimental health effects in other countries around the world, so we are really keen to hear what the Tasmanian government is doing as a part of the review.

**Ms HOWLETT** - Thank you. That review is open for public consultation until 29 October this year. I believe my deputy secretary will have some more information to share on that review.

**Ms WILSON** - Through you, minister. The APVMA as the federal agency is the appropriate agency to assess the safety of chemicals. They ensure there's a robust risk assessment process conducted and that they can be used safely in accordance with label directions. Within the minister's agency with Biosecurity Tasmania, we would always consider the outcomes of any APVMA process to ensure that appropriate protections are in place for our community.

**Ms BADGER** - To conclude on my first question, the Tasmanian government is not going to be participating in the review? You're just relying on the public to have input.

**Ms WILSON** - Through you, minister. I would have to take advice from our chief inspector of primary project safety. What I can tell you is that we engage in national forums

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around a range of matters and ensure that we are across any actions that have been any reviews that are taken by the APVMA.

**Ms JOHNSTON** - Minister, you'd be aware about the awful situation with the labradoodles at the puppy farm recently and that my independent colleague, Mr O'Byrne, recently tabled a petition from 6383 Tasmanians is calling on the Tasmanian government to end puppy farms. What is the government planning to do? Can you please outline the timeframes to end puppy farms?

**Ms HOWLETT** - I thank Ms Johnson for her question. Like you, I was absolutely horrified by the situation at Tasmanian Labradoodles. I thank the RSPCA who, with the support of Biosecurity Tasmania, shut down this operation. I also acknowledge the Tasmanian community who rallied behind this operation, through financial assistance to the RSPCA or taking care of one of the labradoodles. A massive thank you to each and every one of you.

This government is a great supporter of the RSPCA. Under our 2030 Strong Plan for Tasmania's Future, the government has committed \$3.2 million in additional funding for the RSPCA to continue its vital inspectorate work and advise government on animal welfare matters.

On 20 June 2024 concerns were raised with my office about the welfare of dogs at Tasmanian Labradoodles, including the number of animals on site and feeding concerns. On that day I directed the Department of Natural Resources and Environment Tasmania to assist the RSPCA with their response. Biosecurity immediately provided staff, including vets, to help with the management and monitoring required by the RSPCA during the closure of the Tasmanian Labradoodles. I'm also aware that the RSPCA had concerns with Tasmanian Labradoodles for quite some time and the matter was also before the court.

As a government, we're taking long-term action to improve dog welfare in Tasmania. We're reviewing the *Animal Welfare (Dogs) Regulation Act 2016* to prevent overbreeding and improve animal welfare for dogs. The review proposed changes to the *Dog Control Act 2000*. It also requires dogs over 12 weeks of age to be microchipped. It will introduce new provisions to enable information sharing between councils and animal-welfare regulators to better identify any potential dog-breeding operations. In addition, the government has committed to enforcing a Greyhound Welfare Code of Practice with provisions around minimum standards for the care, housing, and health of dogs.

I'm working with the Minister for Local Government, who is the minister responsible for the *Dog Control Act 2000*. Public consultation on the amendments is this year and I encourage everyone to have their say. I put on record, Ms Johnston, that I never, ever want to see a situation like this occur ever again in Tasmania.

**Ms JOHNSTON** - I understand that minister, but can you go back to the original question about the timelines for action? When were these regulations? You've outlined some of the measures to be implemented around 12 weeks, microchipping, information sharing between councils, the Greyhound Welfare Code of Practice, and liaising with the Minister for Local Government around *Dog Control Act* amendments. What's the time frame for that? At the moment it's easy for people to set up puppy farms. We know that there are puppy farms still in existence. What's the timeline for implementing these changes?

**Ms HOWLETT** - I'll ask the deputy secretary to provide more information on that.

**Ms WILSON** - As the minister has indicated, the government has put forward policy positions. Those will be released as a discussion paper that will be released this year. What we'll do then is seek feedback and consultation on that discussion paper and, based on that, Biosecurity Tasmania and the agency would be providing advice to the government on updates to regulations.

**Ms JOHNSTON** - When can we expect that to be concluded?

**Ms WILSON** - The minister has been indicating to the agency she'd like it to be done as quickly as possible - yes, more than once, which is - and what we've done is - but we have to follow the process of development of regulations and also updating of legislation.

**Ms JOHNSTON** - Are we talking mid next year, end of next year, 2026?

**Ms HOWLETT** - I'd like to see it as soon as possible. There's a process that needs to occur and we need to take submissions as well, and I encourage everyone out there to please put a submission in. I never want to see a situation like this ever occur again. I want to see us have some incredibly tough rules around this.

**Mr FAIRS** - Minister, noting we've had recently decent rains across Tassie, we know it's been a hard year for farmers with the dry conditions, especially on King Island, as you mentioned in your opening address. Can you please outline the support provided in more detail by the government across Tassie, including initiatives in the Budget?

**Ms HOWLETT** - I thank the member for the question. Despite recent rains, the effects of the dry and drought conditions continue to impact many Tasmanian farmers and rural communities. Our farmers know that this government has their backs because of the actions that we've taken throughout these difficult times.

I've met with many farmers and I know how the drought has added challenges to our livestock producers, including access to feed and fodder because, for example, stored feed had already been, as we know, used up. We need sustained, consistent rain to fill our dams and help with feed, now that we're in spring.

This government has been working since last spring with farmers, rural communities and support organisations, like TasFarmers, RAW (Rural Alive and Well), Rural Business Tasmania, and others to support producers. There is a range of challenges and we've acted. The government responded with our Seasonal Conditions Scheme, hardship grants and a series of other support and resilience measures over time.

My latest advice of the week is that Business Tasmania has provided around \$4.1 million to 549 businesses in hardship grants across King and Flinders Islands and also mainland Tasmania. These are farmers whose main incomes come from their livestock. In July we announced a further \$4.8 million in additional drought support measures reflected in the Budget, which includes funding for Rural Business Tasmania to help more farmers apply for federal and state government drought support grants and programs, and to connect to the Rural Financial Counselling Service. Rural Alive and Well has also extended their mental health and

wellbeing outreach services, and TasFarmers is expanding their community drought coordinator service across the state.

For farmers unable to access the hardship grant support, and following the closure of that program, up to \$5000 from the Rural Relief Fund has been available through Rural Business Tasmania and we have broadened the criteria for semi-commercial farmers to apply. We have supported shipments of fodder to King Island in collaboration with Lions' Need for Feed and also extra sailings of the Bass Island Line to help with stock and feed.

We will also continue to work with the TAS Farm Innovation Hub to share learnings and provide information and extension activities for farmers on how to best tackle and prepare for drought. The Innovation Hub's work has helped inform our investments, such as \$1.5 million for Bass Strait Islands Water Resilience program for water mapping and farm water infrastructure on the Bass Strait Islands.

Chair, the government has provided consistent support for our farmers impacted -

**Ms FINLAY** - Chair, it's a three-minute response.

**Ms HOWLETT** - by the sustained dry conditions and we will continue to monitor conditions and response. We continue to keep backing our farmers and working with them in these difficult times, as outlined in our 2030 Strong Plan for Tasmania's Future.

**Ms FINLAY** - Thanks, Chair. Back to the water miscellaneous amendments that went through the parliament last year. We've touched on the industrial water supply, but now to the delegation. As you would understand, there's a number of irrigators across Tasmania that we're keen to go into community management, Winnaleah being one of those.

**Ms HOWLETT** - Yes.

**Ms FINLAY** - I'm aware of your work with Winnaleah, but there's still quite a number of questions around that scheme. Tasmania Irrigation (TI) assessed an application from the Winnaleah Irrigation Scheme to provide maintenance and operational services to the scheme, but the offer was rejected by TI. They claimed that it was too expensive. Can you please explain how it's a fair process, when TI is not obliged to submit its price for these services, along with what Winnaleah would have to do as an independent third party? It seems to me that that process is like one tenderer being able to understand the price of all the competitors then submitting a lower price. Just wondering, as minister, how you feel comfortable with this?

**Ms HOWLETT** - Chair, I thank the member for the question and her for the interest in the Winnaleah community and the irrigation schemes. It's well known that the Winnaleah Irrigation Scheme Ltd, known as WISL, and Winnaleah Irrigators have a longstanding connection to their local scheme. I know that WISL has a desire to take on greater responsibility.

When TI made the decision earlier this year not to renew WISL's contract for operations and maintenance of the Winnaleah scheme, I know that the WISL board had concerns that this decision would hinder its opportunities for future community management of the scheme. I'm advised that TI's decision was made purely for operational reasons and does not in any way prejudice a future application for community management. As you know, the government

introduced legislation late last year that enables TI to delegate some powers and functions to irrigator groups who want to take on greater levels of management of publicly owned irrigation schemes. In practice, this means irrigator groups can apply to TI for delegation to undertake functions that Tasmania Irrigation would otherwise undertake. The legislation does not facilitate the transfer of the responsibility -

**Ms FINLAY** - If I could, there are a couple of pages to go, but it's not going to the question. If I could seek clarification from the minister. I understand all the background. I've met with them and I know you have as well, and I understand the process.

My question is, as minister, do you feel comfortable with the process where someone is practically tendering for work where the tenderer themselves understands the costs of everybody else when they're competitive in the process as well. They don't disclose their financial information, but require others to do so, then they submit a price that is less. My question is, are you comfortable, as minister, in that process?

**CHAIR** - I draw the minister to the question.

**Ms HOWLETT** - Chair, I've written to TI and also indicate my willingness to work together to facilitate local management of publicly owned irrigation schemes. I'm pleased to advise, Ms Finlay, that I've informally received support for this approach and will keep working together on this.

**Ms FINLAY** - I will ask the question again, minister.

**Ms HOWLETT** - Deputy secretary would like to add to that.

**Ms FINLAY** - I am not asking about options. I am not asking about future community management. I'm not even asking about whether they were granted the operations and maintenance licence. My specific question is, in a tendering process where somebody who is going to participate in the process and possibly end up as the person successful to deliver the service, which has happened in this case with TI, they have access to all the financial information of everybody, but they don't disclose their own, then they undercut the person who is seeking to provide the services. Do you, as minister, think that is fair?

**Ms HOWLETT** - I understand your question, but as you are well aware, this is an operational question for TI. You'll have the opportunity to ask that question in scrutiny in December.

**Ms FINLAY** - My question is to you as minister, as the overarching leader and person responsible for the behaviours of the way that farmers are treated. Are you comfortable that that process is fair and reasonable?

**Ms HOWLETT** - As I said, that is an operational question.

**Ms FINLAY** - I'm not asking TI. I know that TI will believe that it's fair and reasonable. I'm asking you as minister: do you believe this process is fair and reasonable?

**Ms HOWLETT** - As I said, that is a question for TI in scrutiny.

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**Ms FINLAY** - I'm asking you, minister, about the behaviours of the people that are treating farmers in my electorate of Bass at Winnaleah. Do you believe that process is reasonable and fair?

**Ms HOWLETT** - I have answered Ms Finlay's question.

**Ms FINLAY** - You have not, but you can choose to ignore it if you like.

**Ms BADGER** - Following on from Ms Finlay's line of questioning, it is rather putting the fox in charge of the henhouse with the system we have now. It was always the intent when these self-managed community-run irrigation schemes were set up that they were just that, community-run irrigation schemes. Can you, minister, specifically point to what is legislatively standing in your way from returning the RWE to WISL or the Winnaleah scheme?

**Ms HOWLETT** - As I stated before, member, discussions are taking place.

**Ms BADGER** - I understand an offer's been made and I've read your correspondence with the community group. It isn't specifically what they're asking for. It does seem rather tokenistic, although it is a positive step in the right direction. My question is, what is legislatively standing in the way of you returning the RWE to WISL for the Winnaleah scheme?

**Ms HOWLETT** - Discussions are taking place. I'll ask the deputy secretary to speak more to that.

**Ms WILSON** - Legislatively the framework was adopted by the parliament and the framework allows for self-management actions. At the moment, that's being progressed. Guidance materials and templates are being progressed and we can declare it as an irrigation entity under section 22(6)(b) of the act. We need to make a regulation setting application fees. The processes that parliament has agreed to formally allow this to happen. That process is able to be accessed by the Winnaleah scheme operators and, as the minister says, there are discussions occurring.

**Ms BADGER** - Not to return the RWE though. Will you begin those discussions to return the RWE to the Winnaleah scheme as the minister is permitted to do under the legislation.

**Ms WILSON** - Through you, minister -

**Ms BADGER** - Not the test case that's been proposed.

**Ms WILSON** - As indicated the process for self-irrigation is as prescribed in the act.

**Ms FINLAY** - There are three different things. The question being asked - if I could be helpful, Chair - is what is stopping you returning the RWE to Winnaleah?

**Ms HOWLETT** - As I've stated - and so has the deputy secretary - discussions are currently taking place.

**Ms FINLAY** - Are they happy with discussions minister? Sorry, it's your question.

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**Ms BADGER** - No, that's okay. It's both of our questions. It's quite alright. I don't believe either of us are getting answers.

**Ms FINLAY** - That's a reasonable question. Are they happy with the conversations, minister? It is up to the minister, that's correct, so what's stopping you, minister?

**Ms BADGER** - Perhaps the question is, minister, will you return the RWE to the Winnaleah Irrigation Scheme?

**Ms FINLAY** - Yes or no?

**Ms HOWLETT** - As I've said, and I'll state it again, discussions are taking place. I've answered the question.

**CHAIR** - Any other questions?

**Ms BADGER** - Minister, we're hearing increasing reports from the community about the impact of feral pigs, and we know how incredibly detrimental they can be. They are just one of the increasing numbers of invasive species that we're hearing about. There are also reports of, for example, goats. Obviously, the tracking of these animals would be easy under the new PIC scheme coming in. From 2025 that would be easier.

When this happens, will the government be declaring unmarked roaming pigs and goats and other destructive animals as a pest under the Nature Conservation (Wildlife) Regulations 2021 so that it will enable effective control of these animals?

**Ms HOWLETT** - Sorry, there were a few questions in that question, if I could just ask you to repeat it.

**Ms BADGER** - The guts of the question is, will the government consider declaring unmarked pigs and goats as a pest under the Nature Conservation (Wildlife) Regulations 2021 so that it can enable effective control of these species causing damage.

**Ms WILSON** - Through you, minister, I'd need to get some specific advice about the status of pigs, but my understanding is that under the *Animal Welfare Act*, they're already listed as a feral species. Under the *Local Government Act*, domestic pigs are managed through the *Local Government Act* and those powers. We're undertaking, for example, feral pig management on Flinders Island. On the mainland of Tasmania, it will depend upon the status of pigs, but as far as Biosecurity Tasmania is aware there are no feral pig populations, as properly defined, on mainland Tasmania.

**Ms HOWLETT** - Thank you, deputy secretary. Just to add to that, under the *Local Government Act 1993*, councils are given powers to impound any animal straying or at large, either near a highway or on council owned or controlled land. Councils may also issue abatement notices to anyone who directly or indirectly creates a nuisance as well. As pigs are already listed on the pest register, I'm advised that the Department of Natural Resources and Environment Tasmania does not consider that any changes to the *Animal Welfare Act 1993* are warranted at this stage.

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Would you like me to provide some more information to that? I can ask Rae Burrows to talk more to that.

**Ms BADGER** - I'm happy to take more information on notice if that's okay.

**Ms HOWLETT** - Yes, that's fine.

**Ms JOHNSTON** - Minister, you've just outlined in the response to my previous question that the time frame for legislative and regulatory action on puppy farms is some way off. It's not defined. Are you aware of any puppy farms that are currently in existence in Tasmania? If so, what action is the department in liaison with - I am assuming with Biosecurity Tasmania and RSPCA - taking to ensure the welfare of the animals on those puppy farms?

**Ms HOWLETT** - Thank you for your interest in this very significant issue. I will ask the deputy secretary to provide some more information on that.

**Ms WILSON** - The definition of puppy farms is one of the key issues. We need the community to define these, and the minister through the regulations. I'll just seek some further advice about what we know about large-scale puppy operations because I don't have specific numbers on on that. What I can tell you is that the *Animal Welfare Act* applies to those operators, as do the current Animal Welfare (Dog) Regulations. Also, the responsibility under our memorandum of understanding and grant deed with the RSPCA Tasmania is that if there are any complaints about domestic dog welfare, they would investigate.

As the minister has said, we support that through Biosecurity Tasmania, as we did with labradoodles. In this Budget, there was an increase to the RSPCA Inspectorate Service of \$3.2 million over four years, which will assist with that regulatory role. If I get any further information about what we know on the ground, during the proceedings -

**Ms JOHNSTON** - Are you happy to take that one on notice?

**Ms HOWLETT** - Yes, I'm happy to take that one notice. We'll try to provide you with that information by the end of the session.

**Ms WILSON** - In terms of what we know. The RSPCA will be the prime regulator, so we'll just see what we can provide.

**Ms JOHNSTON** - The RSPCA, with the highly publicised puppy farm issue, had a great deal of trouble trying to prosecute under that. The matter was in court for some time, which clearly indicates that the legislation is inadequate to have a successful prosecution. Again, my question is, what will be done to protect those dogs? The welfare regulations and the act, and *Dog Control Act* and dog regulations, are currently inadequate.

The condition that those puppies were kept in is not dissimilar to conditions that puppies are kept in across Tasmania in extensive breeding properties, and do not meet community expectation. What action are you going to take in the interim whilst you're waiting for consultation and to design your regulations? What actions are you going to take to try to protect those puppies who are in awful conditions that Tasmanians would hate to see?



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**Ms HOWLETT** - Thank you, Ms Johnston. They certainly were in extremely distressing conditions. I'm not aware of any others that have been reported to NRE or Biosecurity, but if anyone is aware, can I ask that they please contact our office and we will investigate straightaway, as we did with Tasmanian Labradoodles?

**Mr FAIRS** - Minister, in 2015, the Tasmanian Liberal government passed special purpose legislation, the *Industrial Hemp Act 2015*, to remove regulatory impediments and recognise industrial hemp as an agricultural crop. That legislation recently has been reviewed, with changes made through the parliament under your leadership in the Industrial Hemp Amendment Bill 2024. Can you outline how this bill is going to make it easier for Tassie growers to get on with the job of producing hemp?

**Ms HOWLETT** - Thank you for your interest in the Tasmanian industrial hemp industry. The Industrial Hemp Amendment Bill 2024, which has passed both Houses of parliament, delivers updates to the act to make it clearer and easier for our hemp growers to get on with the job. Industrial hemp has the potential to be a very important crop for the state. The industry is making a valuable contribution to the growth of the farmgate value of Tasmania's agriculture to \$10 billion by 2050. The stems and seeds can be used for a variety of purposes including textiles, paper, fuel and food. The *Industrial Hemp Act 2015* itself created a simple licensing framework to support the growth of the Tasmanian industrial hemp industry. Importantly, the review found that most issues raised by stakeholders can be addressed by updating licence conditions, developing policy and making it easier to get a licence.

Accordingly, the government's response to the review is twofold. First, we introduce legislative amendments proposed through this bill, including updates to the *Industrial Hemp Regulations 2016* to improve the effectiveness, transparency and clarity of both the act and regulations for the industry.

Second, we are updating licence conditions and developing policy guidelines to address practical matters and complement the regulation. This will support licences to get the most from their industrial hemp crop. It will also improve the application process and other compliance documentation to make it easier for industry to interact with the licensing scheme. Overall, this will improve increased flexibility, clarity, transparency and remove the perceived and actual barriers to greater value-adding for Tasmania's hemp industry, so this bill will support greater industry growth. We're aware that the Tasmanian Hemp Association would like to see further relaxation of industrial hemp regulations in Tasmania, including the use of non-medicinal extracts and resins.

Tasmania is limited in what activities it can allow without being inconsistent in the national and international drug control framework. Australia is a signatory to the United Nations Single Convention on Narcotic Drugs 1961. This is an international framework for the control of narcotic drugs. Australia takes its responsibilities to the Single Convention very seriously for our industrial hemp, medicinal cannabis and poppy industries.

The government has also committed to support industry to advocate nationally for greater use of non-medicinal products in a way that is compliant with the Commonwealth Drug Regulatory Scheme, just like we did with hemp in food.

**Ms FINLAY** - The whole process and feeling in the agricultural community around the community management of schemes has been a bit of a mess; I know it's been a nightmare for

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Winnaleah. I know that TI did community consultation around each of the schemes. I'm wondering how many other schemes and which schemes have expressed interest in community management. As minister, you must know.

**Ms HOWLETT** - I think the member well knows that that is an operational matter.

**Ms FINLAY** - My question is to you as minister for Primary Industries, who oversees irrigation, which you said in your introductory speech is a game changer for Tasmania, and you have no idea how many schemes have expressed interest in community management.

**Ms HOWLETT** - I'm not going to disclose that information and that is a matter for TI and you will be able to ask TI those questions.

**Ms FINLAY** - I'm interested in your understanding of these concerns. It's a red-hot issue in the community.

My follow-up question, if you're unable or unwilling to answer that one, is that the *Water Management Act 1999* was amended last year, supposedly to enable irrigator groups to be delegated management functions by TI but section 226E states:

- (1) If an eligible body makes an application in accordance with section 226C to an irrigation entity, the irrigation entity is to make a delegation under section 226D to the eligible body unless, in the opinion of the irrigation entity -
  - a. the delegation could reasonably be expected to -
    - i. substantially reduce the viability of the irrigation entity; or
    - ii. reduce the capacity of the irrigation entity to ensure the performance of the functions of the irrigation entity under this Act or any other Act; or
    - ...
    - iv. result in a substantial increase in costs to the irrigation entity in relation to another irrigation district managed by the irrigation entity; or
    - v. result in a substantial increase in cost to -
      - (A) another irrigation entity ...

Can you please explain how on earth any application for a delegation would ever succeed, given the above criteria?

**Ms HOWLETT** - As you're aware, Ms Finlay, this was contested in parliament and it passed through the parliament.

**Ms FINLAY** - My question is-

**CHAIR** - Sorry, there's been interjections both ways.

**Ms FINLAY** - I thought she'd finished, sorry.

**CHAIR** - Ms Finlay was asking the question. If Ms Finlay can ask her questions in silence and then if the minister can answer the questions in silence, then I'll allow follow up questions.

**Ms FINLAY** - My mistake, Chair, I thought she'd finished her answer.

**Ms HOWLETT** - Yes, Chair, and thank you, Ms Finlay. There are discussions with TI occurring and I believe the deputy secretary has more information to add to that.

**Ms WILSON** - Through you, minister. There is a process that's been put in place under the legislation and that is being progressed and there was a genuine intention in introducing that legislation to set up a framework, but it would allow for self-managed irrigation whilst also protecting the assets and ensuring that the scheme continues to function well, and that's in the interests of that irrigators.

**Ms FINLAY** - Can I ask a follow-up question then perhaps, minister? I've got a question out of that, but my next question is to the deputy secretary if possible: are you aware of the number of irrigator schemes that have expressed interest for community management?

**Ms HOWLETT** - The member is well aware that I've met with TI, I've met with the Winnaleah irrigators and discussions are being had.

**Ms FINLAY** - I was just wondering if there were any other schemes that have expressed interest.

**Ms HOWLETT** - And that is a matter for TI, and you'll have them at the table in December, Ms Finlay.

**Ms FINLAY** - I like that you're able to disclose that you've met with Winnaleah, but you won't disclose if you've met with any others or if any others have expressed interest. Minister, do you concede that self-management of irrigation schemes is achievable without ownership of the schemes needing to transfer away from the Crown, and the *Water Management Act* has sufficient and appropriate reporting requirements to ensure self-management irrigation schemes will not compromise assets, their future ability to deliver, their longevity or their safety?

**Ms HOWLETT** - As you're well aware, TI has undertaken consultation in recent times.

**Ms FINLAY** - This is not a question about TI.

**Ms HOWLETT** - I'll take that on notice and I'll get that information from TI on any expressions of interest.

**Ms FINLAY** - Thank you. I appreciate your response. That was my previous question, and I will put that in writing. This question is, as minister, do you concede that you don't need

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to transfer ownership away from the Crown and, in doing so, there are appropriate reporting requirements to ensure self-management won't compromise assets or the longevity or safety of schemes? This is more to your opinion, minister, whether you're comfortable with that.

**Ms HOWLETT** - I'm not going to give my personal opinion on that, Ms Finlay and -

**Ms FINLAY** - I'd like your ministerial opinion, minister.

**Ms HOWLETT** - Would you? I'm sure you would, Ms Finlay.

**Ms FINLAY** - I would, yeah, and I'd like to see-

**Ms HOWLETT** - I'd like to ask you a few questions, but I won't, Ms Finlay.

**Ms FINLAY** - You're the minister. If you'd like to ask me questions as minister, I'm happy to change positions with you. However, today this is your responsibility and I'm asking you, as minister, whether you concede that schemes don't need to be transferred away from the Crown. There are plenty of protections in the act to ensure longevity and safety of assets in the operations of schemes.

**Ms HOWLETT** - We have answered that question, and -

**Ms FINLAY** - No, you haven't. Again, you're not willing to answer or unable to answer the question.

**Ms HOWLETT** - No, there's nothing more to add to it. There's nothing more to add to that question, Chair.

**Ms BADGER** - Minister, just a couple of questions about the impact that the salmon industry is having on Tasmania's native birds. Can you clarify how many native birds have been shot by the Tasmanian salmon industry since the start of 2024 and what weapon or implement was being used to shoot the native birds?

**Ms HOWLETT** - Okay. Just give me a moment. Thank you, Chair. A property protection permit may be issued under the Natural Conservation Wildlife Regulation 2021 to take wildlife to protect crops and/or stock and protect equipment and infrastructure. Applications are assessed prior to a quota being determined on a permit issued, and a permit holder must record and report the number of animals taken.

I am aware that my department issued two property permit protections to Tassal in December 2023 as a temporary tool to manage an unprecedented rise in interactions at a lease in the D'Entrecasteaux Channel and the Huon River region. Upon investigation of this infrastructure and interactions by NRA Tas, the permits were issued as a last resort measure to allow for the development and installation of improved bird exclusion measures.

**Ms BADGER** - Great. That specific question was: how many native birds were shot, and what weapon or implement was used? Happy to take that on notice.

**Ms HOWLETT** - How many were shot, and what weapon or implement?

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**Ms BADGER** - Yes, thank you.

**Ms HOWLETT** - I will have to take that on notice, and I believe minister Abetz will -

**Ms BADGER** - Yes, on notice is fine. He has referred us down here for this, so, yes, happy to take that on notice.

The second question: is the government going to notify water users in the future - very importantly, such as boaters - if there is a shooting operation that is currently happening? And that is not what we saw at the Coningham lease, unfortunately.

**Ms HOWLETT** - That is an operational matter, and I will pass you over to the deputy secretary to speak to that.

**Ms WILSON** - What I can say is that the issuing of a property protection permit does not override the requirements to meet the *Firearms Act*, and, as for notification, I will need to take some advice on that. But the primary obligation is still to meet the specifications under the *Firearms Act*. The *Firearms Act* is not our legislation, but you do have to meet those requirements.

**Ms HOWLETT** - Can I just add to your comments, deputy secretary? The Department of Natural Resources and Environment Tasmania routinely publishes data on wildlife interactions in the salmon industry. This is actively disclosed. Marine farm operators must submit a monthly summary report for each marine farming lease, detailing all wildlife mortalities, injuries, entanglements, and entrapments detected. This includes wildlife exclusion netting, marine farming infrastructure, and the use of seal deterrent devices.

Any other information we can provide you with, hopefully, by the end of the committee.

**Ms JOHNSTON** - Back to puppy farming. When you outlined some of the changes to regulations that you foreshadowed might occur in response to the puppy farming incident, you did not mention capping of breeding bitches. I am assuming that this is something that would be fundamental to any changes that the government might make in this particular space, because that is what allows the proliferation of puppy farms. One of the challenges with capping breeding bitches and monitoring is the lack of information shared, and the lack of a breeder registration process. Is it the government's intention to introduce a breeder registration process?

**Ms HOWLETT** - Thank you, Ms Johnston, for your question. The review will propose changes to the *Dog Control Act 2000* as well as requiring dogs over 12 weeks of age to be microchipped. It will also introduce new provisions to enable information sharing between councils -

**Ms JOHNSTON** - That is the answer you read out to my first question.

**Ms HOWLETT** - and animal welfare regulators to better identify any potential dog breeding operations, and I will certainly consider capping.

**Ms JOHNSTON** - As I've indicated, one of the challenges if we do cap the number of breeding bitches allowed on a property, is the lack of breeder registration. This would be

a mechanism whereby RSPCA and Biosecurity Tasmania can actually check to see who is breeding and we don't have that currently. At the moment, if there was to be a cap on breeding bitches, it would require investigators or inspectors to try to match up council records with their kennel licencing records and with their facilities records as well, and to try to then determine whether - with kennel license - are trying to profit from their puppies.

There's a desperate need for a breeding registration program. Would you consider introducing a breeding registration program as part of the suite of changes in response to puppy farmers?

**Ms HOWLETT** - I'll certainly consider that and I want to seriously consider capping the number of breeding bitches and the amount of litters that they can have. I'll hand you over to the deputy secretary for any more information that she may like to add to that.

**Ms WILSON** - Through you, minister, the critical issue that will be put forward in the discussion paper will be about the information-sharing and what information will be shared because dogs are already required to be registered with local government. There's already information that is available through dog registration and that will need to be taken into account in terms of what is a most efficient and effective model that ensures we have information that allows us to and the RSPCA to make sure that we've got appropriate animal welfare outcomes with breeders.

**Mr FAIRS** - Minister, Natural Resource Management (NRM) enhances innovative agriculture practises. Obviously, you're a hallmark of the government. I note that the Budget has increased funding for NRMs and significant funding for Landcare Tasmania. Are you able to outline what that funding will achieve and what areas, projects or grants are available to build community capacity, promote resilience and achieve on-ground results for our all-important environment?

**Ms HOWLETT** - I thank the member for his question and his interest in Natural Resource Management projects in Tasmania. Healthy soils, farmland, rivers and other natural resources underpin Tasmania's world-class agriculture sector and a clean, green reputation. That is why our approach to Natural Resource Management brings together our farmers, local communities, peak bodies and conservation groups to make a practical difference on the ground.

That is also why this government is investing in our Natural Resource Management organisations, NRM South NRM North and Cradle Coast NRM. To back the agriculture sector, the government's 2030 Strong Plan for Tasmania's Future has committed an additional \$2.4 million as part of a package which provides a total of \$544 000 a year over two years to each of our three NRMs. This will enable our NRMs to continue to deliver their really important on-ground programs. This includes projects on waterway health, such as supporting significant wetlands and the Tamar Estuary and East Rivers program. This also includes land management projects such as learning about cultural burning from Tasmanian Aboriginal people, as well as the Farming Forecaster Tasmanian project to help build drought resilience.

Landcare is another organisation that the Tasmanian Liberal Government is a big supporter of. Landcare Tasmania plays an important role as the peak body representing and supporting the Tasmanian Landcare movement. With groups and individual members throughout the state, there are very few places that have not benefited over the last 30 years

from Landcare projects to improve the health of nature and primary production landscapes across our state. The Tasmanian Liberal Government has been a long-term supporter of Landcare Tasmania since it was established in 1994. Landcare not only improves landscapes across Tasmania, but is empowering people to care for our land and water resources.

The Tasmanian Government has committed more than \$1.86 million over three years to continue to support Landcare Tasmania's programs and initiatives. This includes core funding of \$155,000 per year over the next three years. We've also committed \$900,000 over three years towards a successful Landcare Action Grants program which has been running since 2018. The Landcare Action Grants program has been highly successful in delivering a wide range of projects. Some examples are weed control projects, fencing to protect areas with natural values and improving ground cover. In addition, there is also funding of \$85,000 per year to support for volunteers and what would we do without the volunteer army -

**Ms BURNET** - Point of order Chair. It looks like the minister has a lot to read and that's three minutes, so I just wonder if we could move on to the next question.

**Ms HOWLETT** - It's pretty important information, Chair.

**Ms BURNET** - Well, is it?

**Ms HOWLETT** - It is, actually. I would have thought it would have been a subject that would have been very interesting to you.

**CHAIR** - Order, one second, minister, the orders of this House are that there is three minutes to answer questions and one minute to ask them. It hasn't been enforced strictly up until now, there's been some very long-winded questions and some long answers. If the committee wishes to start enforcing them, that's fine, I can get the stopwatch out and we can start timing questions as well, because there have been some questions that have gone into the minutes. The proceedings have gone pretty well up until now but if people want to start enforcing timeline times, we can do that. Otherwise, I'll draw the minister to wrap up the answer if she can.

**Ms HOWLETT** - Yes, I'll wrap up very quickly, thank you. We'll also provide a \$15,000 per year for three years for the biannual Landcare Conference and Awards and also invest \$200,000 towards a Land Care Community Support program to increase the program delivery capacity in northern Tasmania. Thank you, Chair.

**Ms FINLAY** - I'm interested to ask some questions around biosecurity and particularly in preparation for bird flu, unfortunately, as I understand it is not likely if but when, so I'm just keen to understand the framework response.

**Ms HOWLETT** - I thank the member for her very important question. No strain of avian influenza has been detected in Tasmania yet and thankfully Australia is the only continent on earth which has not had an outbreak of the deadly H5N1. This government knows the value of protecting our state's unique environment from pest and diseases. Importantly, Tasmania's biosecurity system is well equipped to respond to an outbreak of bird flu and there are nationally agreed response procedures in place. Biosecurity Tasmania is actively monitoring the situation, including issuing advice to industry and the community.

Bird flu is a highly contagious viral disease. There are many strains of the virus that cause symptoms in birds, other animals and sometimes humans. With spring upon us and migratory birds returning to the state, the risk is increasing. We must be vigilant and I encourage everyone to report any sick birds to the emergency animal disease hotline.

**Ms FINLAY** - Thank you minister, I'm interested in the efficiency dividend and budget savings plans, and I'm particularly interested around biosecurity. Can you indicate if the efficiency dividend is being applied to biosecurity and if there's a budget savings plan for that section?

**Ms HOWLETT** - Thank you for your important question and Chair, I will just ask the secretary.

**Ms WILSON** - Through you, minister. The 2023-24 Budget indicates the government would seek operating efficiencies while protecting frontline services. The efficiency dividend is to be achieved by the Department of Natural Resources and Environment and it's outlined in the budget paper. The department has commenced implementing initial savings strategies and they're achievable without compromising the department's capability. They'll not impact government's priorities and core services to the Tasmanian community nor will they impact the safety and wellbeing of staff. Importantly, the savings initiatives identified will be around streamlining processes and leading operations. The department will review how programs are administered to ensure they deliver value for the Tasmanian community. Our initial focus is on savings from discretionary expenditure on supplies and consumables, including consultants, travel, advertising, accommodation, and fleet.

**Ms FINLAY** - I appreciate that, but that wasn't my question. My question was very specific to biosecurity. My question was: has biosecurity been insulated from the efficiency dividend or their budget savings plans across biosecurity?

**Ms HOWLETT** - I believe the deputy secretary has provided that advice. I'm happy to add to that advice. Our government has a strong track record of responsible fiscal management. We've invested significantly in essential services since coming to government and we're continuing to invest.

**Ms FINLAY** - Sorry, Chair, this is not an answer to my question. Could I please restate the question?

**CHAIR** - I'll let you restate the question. I'll remind members that I cannot direct the minister to answer the question in a particular way. If members aren't satisfied with the responses, they can ask further questions or they can raise it as a matter of concern in the report. I'll let you ask the question again.

**Ms FINLAY** - You indicated that the answer had been given, but the word biosecurity wasn't used in the answer. I'm asking you specifically. Biosecurity is essential for Tasmania in terms of the health and wellbeing of our entire community, and particularly our agricultural community. You've already stated how important our response is for bird flu when it does arrive. My question is specifically: has biosecurity been shielded from the efficiency dividend or does biosecurity have budget saving measures?



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**Ms HOWLETT** - As part of our 2030 Strong Plan for Tasmania's Future -

**Ms FINLAY** - If she's not going to answer the question, I ask her to stop.

**CHAIR** - Order. Ms Finlay, she got three words in before there were interjections.

**Ms FINLAY** - She's reading the same brief.

**CHAIR** - I'll allow you to ask follow-up questions. Can the minister's answer please be heard in silence? I'll let you ask a follow-up question if you're not satisfied.

**Ms HOWLETT** - We are continuing to take clear and meaningful action to ensure that the state can provide essential public services and job-creating infrastructure on a sustainable basis, Tasmanians would expect departments to use their resources effectively and within budget. In developing the 2023-24 Budget last year -

**Ms FINLAY** - On such a critical issue.

**CHAIR** - Ms Finlay.

**Ms HOWLETT** - The government recognised that prudent, corrective action was required -

**Ms FINLAY** - I'm going to ask the minister to stop. She's not going to answer the question. Could I please ask my follow-up question?

**CHAIR** - I'll let the minister finish and then I'll let you ask your follow-up.

**Ms HOWLETT** - Thank you.

**Ms FINLAY** - I just need to hear the word 'biosecurity'. Yes, or no? Is it shielded from the efficiency dividend?

**CHAIR** - She hasn't finished her question yet. I'll let you ask another question.

**Ms FINLAY** - Yes, or no, is biosecurity shielded from the efficiency dividends? Yes, or no?

**Ms HOWLETT** - In my opening statement, the honourable member heard me mention that we've invested almost \$13 million into biosecurity.

**Ms FINLAY** - I'm not asking about investments. I'm asking about a shield from the efficiency dividend. It's a simple question, yes, or no.

**CHAIR** - Ms Finlay.

**Ms FINLAY** - If the answer's no, just say it.

**Ms HOWLETT** - That is a question for my department secretary. I believe she has already answered that.

**Ms FINLAY** - Wow.

**CHAIR** - Did you have a final follow-up question?

**Ms FINLAY** - Yes, I do. Can you please confirm that biosecurity is not shielded from your efficiency dividend?

**Ms HOWLETT** - The department secretary has already -

**Ms FINLAY** - I'm asking you, minister.

**CHAIR** - Ms Finlay.

**Ms HOWLETT** - answered that.

**Ms FINLAY** - The answer is that biosecurity is required to find efficiency dividends?

**Ms HOWLETT** - The question has been answered, Chair.

**Ms BURNET** - I have some questions around crop overspray. One of our constituents has been patiently and politely trying to find out for years what the chemical makeup is in the spray that drifts over his property, his veggie gardens and his family. He has video footage and soil testing revealing amounts of dangerous chemicals. This testing isn't useful because by the time the departmental office does the testing, the active ingredients degrade. He's tried to write to the orchard to define what chemicals are used and what dosage. That request has been denied. He's tried writing to find out via RTI through the department, to work out what chemicals have been settling on his food that he grows and eats.

Why is he not allowed to have access to the spray register of his neighbour. Will you step in and demand that spray registers are made available on request?

**Ms HOWLETT** - I thank the member for her question. I'm aware that the Department of Natural Resources and Environment Tasmania has been investigating the complaints raised by Hayden Pearsons regarding spray over-drift. I'll hand over to the department to discuss the details of this investigation.

**Ms WILSON** - I'll talk at the principal level. Obviously, that's appropriate when we're dealing with any neighbourhood matters, and particularly any issues of that nature. As you know, the use of agricultural chemicals in Tasmania is regulated under the *Agricultural and Veterinary Chemicals (Control of Use) Act 1995* and its code and practices. It sits within a national framework, and that's actually quite important.

A review of that has commenced, but it has been paused at the moment. Biosecurity Tasmania is proactively reviewing our legislation with a view to incorporating any of the agreed national reforms, as well as any other improvements, to ensure the continued effectiveness of our agricultural chemical regulatory controls. It is important to note that we would undertake a consultation process around any such changes, and to ensure that all parties who might have an interest in that matter are able to put forward their views.

Minister, unless there's something else?

**Ms HOWLETT** - No, you've answered the response thoroughly. Thank you.

**Ms BURNET** - As a secondary question into that, will you commit to reviewing and strengthening the conditions orchards operate under, and also commit to prosecuting those that contravene the standards? Is that part of the review?

**Ms WILSON** - Our reviews of legislation always look to where we can improve the regulations. We have an act at the moment, we do not have a gap. When we look at the review, we'll look at the agreed national reforms to see if they're appropriate to put in place in Tasmania. We will undertake consultation. On whether we would take particular action for contraventions - if someone raises a complaint with us, the agency investigates. The agency then determines if there is a potential breach or otherwise and would act appropriately.

**Ms BURNET** - Timeline? Sorry, I didn't understand the timeline with the review.

**Ms WILSON** - We've commenced the internal process of review, based on the national framework.

**Ms BURNET** - When is the end of that likely to be?

**Ms HOWLETT** - The process has commenced internally.

**Ms JOHNSTON** - Minister, in many ways, we went to an early election for failure to be able to provide adequate animal welfare in abattoirs. Can you update the Committee on whether every abattoir in Tasmania has 24-hour CCTV?

**Ms HOWLETT** - They certainly do. It was introduced on 31 June, and I can provide some more information on that.

Thank you, Ms Johnston, and thank you, Chair. I'm committed to getting this right for our producers and our important livestock industry, the jobs and family businesses that the industry supports. The Livestock Processing Taskforce has now developed new Tasmanian guidelines and a strategy to achieve strong animal welfare practices that meets the expectations of the community.

The guidelines follow the introduction of mandatory video monitoring to livestock processing facilities, which came into effect on 30 June. Tasmanian veterinary officers and an independent, recognised world expert on benchmark practices have provided input into the guidelines to ensure best practice animal welfare outcomes.

The taskforce has provided its final report guidelines and an implementation strategy and the government is working through its response to see the recommendations. I expect to release the taskforce final report, and the government's response, very shortly.

**Ms JOHNSTON** - It was implemented as of 30 June. How is the CCTV monitored? It is one thing to record it and to have it. How is it viewed, monitored and audited, the practices?

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**Ms WILSON** - The guidelines require the individuals, when there's a kill - there has to activities, I believe, to review daily. I would like to check that and confirm. The idea with the guidelines is to ensure that there's active management by abattoir owners and operators to ensure that we have the highest standard of animal welfare.

**Ms HOWLETT** - Can I please invite Rae Burrows to the table to add more information to that, because it's a really important question that you raised. Rae, could you say your name and title to the committee, please.

**Ms BURROWS** - Rae Burrows, General Manager, Biosecurity Tasmania.

**Ms JOHNSTON** - My question was how, and who, monitors the CCTV?

**Ms BURROWS** - The Video Monitoring Systems (VMS) guidelines specifically say that first, the video monitors must be in specific places in the abattoirs. In any area where there's a high risk of animal welfare issues, that's where a camera must be placed in the first instance. They have to retain the video footage for 30 days. They are required to check the video footage themselves every day so that they can instigate any continuous improvement to their practices. Remember, this is about improving the animal welfare culture for processing facilities. It's not the government coming over and saying, 'You must do that', because we can't be there 24/7. It's for them to actually step up and bring humane animal welfare outcomes to the forefront of their thinking.

**Ms JOHNSTON** - It is largely self-monitored, as you indicated, they are required to check the footage every day themselves. Is there any kind of independent oversight of that or audit of that externally from the abattoirs themselves to check?

**Ms BURROWS** - The domestic abattoirs are the subject of both announced and unannounced visits of Biosecurity Tasmania staff both in our food safety area and in our biosecurity inspections area. Our export facilities, which we have three, as you're probably aware - Greenham, JBS and TQM - are monitored regularly by the federal government, and they're required to have an on-site vet and other requirements. It is domestic abattoirs that Biosecurity Tasmania will have oversight of.

**Ms JOHNSTON** - Can I ask how many unannounced visits of domestic abattoirs occurred in the last financial year?

**Ms BURROWS** - In 2024, there were 11 *Primary Produce Safety Act* (PPSA) audits, that's food safety audits. As I say, the PPSA has animal welfare requirements in it as well. There were four federal audits, that's of the export facilities. There were 27 sale yard visits, there were 52 restricted animal materials inspections, seven intensive animal production inspections, 215 investigations of animal welfare reports, 17 unannounced visits, one announced visit and 90 third-party food safety audits in 2024.

**Ms JOHNSTON** - Were there any adverse findings as an outcome of any of those inspections or any breaches?

**Ms BURROWS** - The investigations of the five abattoirs that were the subject of the FTP video investigations, there were certainly findings in those -

**Ms JOHNSTON** - All five abattoirs had adverse findings?

**Ms BURROWS** - There were five abattoirs that were the subject of the FTP video footage that we were particularly concerned about. The others, we've investigated all of them.

**Mr FAIRS** - The state government has had a strong focus on managing the state's freshwater resources now and into the future through the Rural Water Use Strategy. Can you outline the key initiatives and investment being delivered under the strategy that are enhancing our understanding and management of water resources and strengthening collaboration between both water managers and water users?

**Ms HOWLETT** - I thank the member for his question and his interest in Tasmania's river health. The government knows that healthy rivers underpin the state's economy, environment and our way of life. This government is investing in the Rural Water Use Strategy as our blueprint for managing Tasmania's water resources. The strategy will ensure sustainable outcomes and build resilience for our rural water users, communities and environment in a changing climate. There are 15 key projects currently underway, including initiatives to improve river health, groundwater assessment and review the science underpinning our water allocation framework.

Yesterday, I released the Rural Water Use Strategy Progress Report for 2024, highlighting key achievements for the year. These include:

- Completion of the review of Tasmania's water accountability framework and commencement of stakeholder engagement to implement findings from the review.
- Development of a 3D geological model to better understand the groundwater resource in the Smithton syncline groundwater area in north-west Tasmania.
- Commencement of a new initiative to undertake groundwater investigations and develop water security strategies for King Island and Flinders Island.
- Commencement of a review of Tasmania's water management planning framework.
- Delivery of the *Water Miscellaneous Amendments (Delegation and Industrial Water Supply) Act 2023*.

The Rural Water Use Strategy provides a comprehensive framework for the future of water management in Tasmania. The strategy aims to ensure integrated, fair and efficient regulation of water resources, deliver sustainable outcomes for rural water users, communities and the environment, and maintain Tasmania's competitive edge in the face of climate change.

To support ongoing delivery of the strategy, the Tasmanian government is investing an additional \$1 million. We've also recently leveraged an extra \$5.9 million through the

Australian Government's National Water Grid funding, including \$4.58 million for TasWater to develop a business case for the North West Water Supply Scheme to streamline water supply, and \$1.3 million to assist the department in the next phase of the Catchment Yield Science Update project to update its hydrological models so that water management information reflects the effects of climate change. The government is also committed to supporting further investment for irrigation infrastructure development including the Greater South East Irrigation Scheme.

The Tasmanian government has also responded to the difficult dry conditions on King Island and Flinders Island, including immediate support and long-term measures to improve resilience and drought preparedness. The government has provided \$1.5 million for the Bass Strait Islands Water Resilience Program to develop water security strategies for the islands. The funding is also supporting the King and Flinders Island Water Infrastructure Rebate Scheme to assist producers with the purchase and installation of water infrastructure.

Delivery of these important projects cannot be undertaken without the ongoing support from our key stakeholders in water management. I'd like to acknowledge the valuable contribution of the Rural Water Roundtable and the Water Management and Data Custodians Working Group, who come together to support the strategies, objectives and delivery. Collaboration will play a crucial role in continued delivery of the strategy and we will continue to work with our water managers to progress this important work.

**Ms FINLAY** - Minister, I want to go back to the efficiency dividends. Can you outline the budget savings plan for the sections under your responsibility, and whether you can give a figure on how much is being asked for you to include in your budget savings plan?

**Ms HOWLETT** - The Tasmanian government in February 2023 announced additional biosecurity funding to bolster emergency preparedness. This initiative will support border personnel and industry engagement, along with traceability planning, supply chain engagement and emergency animal disease risk preparedness activities.

**Ms FINLAY** - Minister, I think your chief of staff is trying to get your attention.

**Ms HOWLETT** - As part of this budget initiative -

**Ms FINLAY** - In the last round of questions, I asked about biosecurity. This round of questions is actually on efficiency dividends. What is the budget savings plan for the areas under your responsibility and, specifically, what figure have you been asked?

**Ms HOWLETT** - As part of this Budget's initiative funding of \$490,000 that was provided in 2023-24, increasing to \$700,000 in 2024-25 and across the forward Estimates to fund five permanent staff.

**Ms FINLAY** - In biosecurity?

**Ms HOWLETT** - Yes, in biosecurity.

**Ms FINLAY** - Okay, fantastic. Thank you for your answer to - well, it is not even an answer to previous questions. My question was, since you are willing to talk about biosecurity now, you are showing an increase in the number of people. Is there - no, I am not even going

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to ask that question again. My question is: across all of your areas of responsibility, so including biosecurity, but Water and Primary Industries, what is the real term figure you are being asked to reduce in terms of your efficiency dividend? What is your budget savings plan?

**Ms HOWLETT** - I will refer you to the deputy secretary.

**Ms WILSON** - If you look at table 7.2 of the output group, you will see that the biosecurity integrity budget increases throughout the out years.

**Ms FINLAY** - Fantastic. I love biosecurity, I am very interested in biosecurity, it is very important to Tasmania. You, as minister, what is your expected budget savings plan across all of your responsibilities to do with Primary Industries and Water? What is the figure?

**Ms HOWLETT** - Thank you, Ms Finlay. I will take your question on notice.

**Ms FINLAY** - Okay, great. I am going to move now to the impact on primary producers to do with significant infrastructure to the benefit of Tasmania, particularly the North West Transmissions Developments. I would like to understand your current position in terms of the strategic benefits payments to farmers, with particular comment around the expectations of farmers being advocated for by TasFarmers, and the current position the government holds?

**Ms HOWLETT** - As the Minister for Primary Industries and Water, I expect that farmers are heard loud and clear, and treated with respect, and that government companies can continue to work effectively in partnership with private land owners. I will always back our farmers. I have listened to TasFarmers. Any decision relating to strategic benefits payment will be a decision for the Energy and Renewables minister, Mr Duigan, and Cabinet.

Through our 2030 Strong Plan for Tasmania's Future, we have committed to update the 2019 charter for working on private farmland to ensure it remains contemporary, and to consider the TasFarmers Farm Access Code of Conduct as part of that uptake. I am working with TasFarmers to progress this update. The Department of Natural Resources and Environment Tasmania is leading that work. The agency officials here may wish to add to this response.

**Ms WILSON** - We have been asked to look at the charter for working on private farmland, as the minister has said. My understanding is we have a meeting in the diary of the key original participants in our charter - the GBEs and with TasFarmers. We will be meeting with them. I don't have the date. I will see if I can get it, but we were planning to meet with them very soon.

**Ms HOWLETT** - It's in the coming weeks, I think.

**Ms FINLAY** - Given that there's a meeting very soon and you've deferred to minister Duigan in terms of the strategic benefits payments, in your conversations with minister Duigan and with your conversations with farmers, I'm wondering if you have a targeted time frame for determination on your position with strategic benefits payments and I'm wondering at the moment how you feel about the numbers that are being discussed for those payments?

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**Ms HOWLETT** - As as I started before, that's a matter for TasNetworks and minister Duigan, but we've certainly had a meeting and we're working our way through it and we're constantly in discussions with Tas Farmers.

**CHAIR** - Your last question then we'll go to Ms Burnet.

**Ms FINLAY** - Given that it's strategically important that you've been having meetings, you have been having the discussions, my question is specifically how are you currently feeling about the options on the table, the actual figures being proposed for the strategic benefits payments?

**Ms HOWLETT** - That's that's not a matter for me, Ms Finlay, that is a matter for TasNetworks.

**Ms FINLAY** - As farmers advocate, as the minister for farmers, I am wondering how you are feeling about the number that is on the table at the moment for strategic benefits payments. It is actually a matter for you, because farmers are your people. You said that you will stand up for them.

**Ms HOWLETT** - And I will always back our farmers.

**Ms FINLAY** - So, how are you feeling about this?

**CHAIR** - Ms Finlay, I will let you have that last interjection. Can you let the minister answer, please?

**Ms HOWLETT** - Discussions are occurring, Ms Finlay.

**Ms FINLAY** - The question is how are you feeling about it?

**CHAIR** - Ms Burnet.

**Ms BURNET** - Chair-

**Ms FINLAY** - You can feel positively or negatively but you don't actually have to shake your head at me.

**CHAIR** - Order.

**Ms BURNET** - I note that the State of Environment Report is looking for a comprehensive water management strategy, but I wanted to get on to the issue of river health. Minister, your department spent years working on a landmark report on river health in Tasmania.

When it was finished, the office of former minister Guy Barnett decided the report should never see the light of day, and it wasn't until the Greens did an RTI while the government was in caretaker mode, that the temporal and spatial patterns in river health across Tasmania and the Influence of Environmental Factors report was released.



That detailed report looked at the period up until 2018 and found serious declines in river health across the state. What have the trends in river health been in the past six years since that report?

**Ms HOWLETT** - Thank you Chair, and I thank the member for her interest in this. Collectively, Tasmania's water monitoring programs provide wide coverage and long-term monitoring records for Tasmanian catchments. River health is of interest to all users of Tasmanian water resources. Healthy rivers underpin the state's economy, environment and our way of life.

Since 1994, the Department of Natural Resources and Environment Tasmania has conducted broad-scale monitoring of river conditions in Tasmania under the river health monitoring program. This monitoring provides important data sets on the health of rivers in Tasmania. The Rural Water Use Strategy is delivering several waterway health projects focusing on enhancing sharing of data information, developing a new statewide water quality monitoring program and enhancing the understanding of the drivers of the river.

Deputy Secretary, would you like to add any more detail to that?

**Ms WILSON** - Yes. Monitoring under the river health monitoring program has been done on a biennial frequency since 2010. So, the frequency of monitoring has not changed. Importantly, under the rural water use strategy project, we've got no drivers of change of the waterway health project. What's happening is we're doing a suite of physiochemical parameter testing, turbidity, dissolved oxygen, pH, electrical conductivity and water temperature, along with nutrients monthly at 50 sites across the state between July 2023 and July 2025.

As we've noted under the River Health Management Monitoring Program, the above suite of physiochemical parameters are being measured seasonally, biennially, as I said, spring and autumn at 53 long-term monitoring sites. Furthermore, sampling in spring and autumn is occurring also occurring at an additional 28 sites in four case study areas, Upper Ringarooma River, Pipers River, Mountain River, River Leven under the drivers of change and water health project between autumn 2023 and autumn 2025.

**Ms BURNET** - A point of order, though, and back to my original question, which was: what have the trends in river health been in the past six years? I'm glad to hear all that monitoring of chemicals is occurring as well, but what have been the trends in the past six years?

**Ms WILSON** - I would have to look at our reporting on the River Health Monitoring Program, but we do put information onto our website. What I can tell you is that the river health project that we're doing - the drivers of changes in waterway health project - we'll do that for two years, and that will allow us to do an assessment against the baseline that you referred to.

Preliminary analysis for the first 12 months demonstrate 64 per cent of sites have experienced an improvement or minimal change in nutrient conditions and nutrients since the baseline water quality monitoring program finished in 2003 and 2008 datasets. But it's the first year of results. We need to wait for the second year of results, and then we'll be releasing that information, which will then inform the trend data.

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**Ms BURNET** - Okay, thank you. My second question, minister. The department's own major report on river health showed nearly half of monitoring sites were actually in decline. Much of this decline was in the four or five years leading up to 2018. So, you can see why six years later we were concerned to find out if that trend has continued - very important information.

Does the department have a broad understanding of the statewide trends in river health since 2018, and can they be shared with us, please?

**Ms WILSON** - The river health monitoring program was set and is done in the biennial frequency and there are some reports that are put out. The purpose of our drivers of change of waterway health project is very specific. It's been funded by the government to actually look at the drivers of river health change, and that will be informative to the issue you've raised.

**Ms BURNET** - So we can have some information to the committee, please?

**Ms WILSON** - We've got preliminary analysis. We will be looking at the full set of figures, otherwise it's not robust.

**Ms BURNET** - Sure. I understand that, yes.

**Ms WILSON** - What I can also tell you - the minister has mentioned this - is that we are doing a new statewide water quality monitoring program design. It's really important because we've reported at previous committees that we were looking at a river health water quality monitoring program, but we're looking at a broader suite, and the reason we're doing that is we've spent quite some time reviewing data from members of the Data Custodians Working Group to see what actual information is available. Taking that, we're expecting to take a design for the water resource monitoring program to the Data Custodian Working Group over the coming months. It's a very exciting time in water. Thank you.

**Ms HOWLETT** - It is and just to add to that, Chair, we've got 15 key projects that are currently underway, including initiatives to improve river health, groundwater assessment and to review the science underpinning our water allocation framework. Thank you

**Ms JOHNSTON** - Thank you. Minister, the general manager of biosecurity helpfully went through a list of all the inspections that have been conducted. Is that list able to be tabled? It is a very long and detailed list. It would help us with our records if that list could be tabled, please.

**Ms HOWLETT** - Yes, we can table that, no problem.

**Ms JOHNSTON** - Thank you. That'd be lovely. My second question, minister, is I want to ask you about seal control and dispersal by the salmon industry. How many seal crackers were used by the salmon industry over the past financial year to disperse the protected fur seals, and how many reported deaths of seals have there been by the industry over the same period of time?

**Ms HOWLETT** - Thank you, Chair. Thank you, Ms Johnston, I do have that information. Just let me track it down. I've got the exact data on it, too, just give me a moment. Sorry, yes, I found it.

**Ms JOHNSTON** - I am happy for it just to be tabled as an answer, or I'll take it on notice as I'm mindful of the time.

**Ms HOWLETT** - That's okay. As I said before, marine farm operators must submit a monthly summary report for each marine farming lease detailing all wildlife mortalities, injuries, entanglements and entrapments. This includes wildlife netting, marine farming infrastructure and the use of seal deterrent devices as a range of strict controls are in place around the use of sealed deterrent devices, which is outlined in the Seal Management Framework.

For the 2024-25 year -

**Ms JOHNSTON** - Can I get the 2023-24 figures and then if you have updated 2024-25 because we're only just in the 2024-25 financial year.

**Ms HOWLETT** - For the 2023-24 financial year no specific circumstances aquaculture related relocations have taken place. No seals have been destroyed through the frameworks protocol for the humane destruction of seal application process. The marine farming industry has reported usage of the following deterrents against seals on marine farm leases: 3502 seal crackers; 172 bean bags; and zero seal scare caps. Two sedations have been undertaken to remove a fur seal from a fish containment pen and nine seal mortalities confirmed resulting from interactions with marine farming operations or infrastructure have been recorded.

So, this year so far, none have been recorded.

**Ms JOHNSTON** - But the figures you quoted before were 2023-24?

**Ms HOWLETT** - That's right.

**Ms JOHNSTON** - Thank you.

**CHAIR** - Any further questions? Mr Fairs.

**Mr FAIRS** - Thank you, Chair. This is a sector I'm very interested in as well; wine. Our 2024 wine vintage looks like being the best yet, which is fabulous news, but the industry does face challenges, we know that. What's the government doing through its 2030 Strong Plan to help sustain the Tasmanian wine sector and find new export markets to secure its future?

**Ms HOWLETT** - I'd like to thank the member for his question and I know he has a particular interest in this.

As we know we produce some of the world's finest quality wines from our cool climate. Not only do we support our growers and winemakers, but the sector also provides a massive boost for tourism across our state, including the activities of cellar doors or agritourism. The wine industry is a major element of the Tasmanian government's AgriVision 2050 target, which aims to increase our annual farm gate target to \$10 billion a year by 2050. The wine sector today in Tasmania has 185 licenced wine producers, 230 individual wine vineyards, 90 cellar

door outlets, and over 2400 hectares under vine. That's a wine industry which I'm proud of and we all should be proud of.

As part of our 2030 Strong Plan for Tasmania's Future, we've backed the wine industry and we're investing \$3 million into two areas to work with Wine Tasmania on priorities for them over the next three years. This includes to support the sector with its long-term sustainability as well as to expand the trade and export opportunities. Our funding will enable Wine Tasmania, and the sector, to build workforce skills and training development, as well as the launch of a new Tasmanian Wine Academy focused on customer facing staff. The sector will also focus on sustainability procedures to be adopted by wine businesses including carbon emission reduction activities and initiatives. It will build technical viticulture and winemaking support and resources. It will create a specialist cool-climate wine research hub to improve the long-term viability of the industry and secure its future. It will also include a partnership with collaborators such as the Tasmanian Institute of Agriculture and international research partnerships. The department has started work already with Wine Tasmania getting these activities underway.

Chair, I finish by saying that it was only a couple of months ago in London that Ed Carr, chief winemaker of House of Arras, was named the IWC Sparkling Winemaker of the Year, and that was an international honour. We beat the French, and it is only the second time in the competition's 40-year history that the accolade has gone to a producer outside the region of Champagne, and the first ever in Australia. Recently, I attended the 2024 Australian Sparkling Wine Show, held here in Tasmania for the very first time, and the national award for the 2024 Best Wine in Show was awarded to Tasmania's House of Arras's Grand Vintage 2015.

**Ms FINLAY** - I track back to a question just asked by the member for Clark about tabling of that chart. Is it possible for that to be physically tabled?

**Ms HOWLETT** - Yes, that's fine.

**Ms FINLAY** - Yes. I'm just clarifying the process; does it physically have to be tabled before we complete the committee? That is all. Otherwise we were not taking it on notice; it was an agreement to table it.

**CHAIR** - It is either tabled or it is taken on notice.

**Ms HOWLETT** - Ms Finlay, I will ask Rae Burrows to come to the table and we will table that document.

In response to a question from Ms Badger earlier, I am advised that there were three property protection permits issued for cormorants in 2023-24. Two were for the Tassal company. NRE Tasmania has recently returned information for one of these. For great cormorants, the quota was 50, and they shot 50. The second permit was then issued with a quota for 30, and no return has been received on this one to date.

**Ms BURNET** - No return? What does that mean?

**Ms WILSON** - It just means the take return has not yet been received by the agency.

**Ms FINLAY** - On the meat processing line of questioning, I know that in regional communities, it is complicated for small producers to get access to slaughter and processing, and I know that the skills and opportunity are something that we are losing in our regional communities, and the planning processes for that is also complicated.

I know that you are aware of concerns in the community around this, and I am wondering what work you are doing to facilitate the amendment of legislation to ensure that we can get on-farm, local and regional slaughter and processing of product. I am wondering what you are doing to progress that.

**Ms HOWLETT** - I have certainly had meetings, as I know you have as well, and that is something that the department and I are working with. I might ask Rae to come to the table and speak more to that question. But, yes, we certainly have been working with small producers.

I will provide that table to Ms Johnston and Ms Finlay, as well.

**Ms FINLAY** - Is that to the committee? It was submitted to be tabled to the committee?

**Ms HOWLETT** - Yes.

**Ms BURROWS** - Can you repeat that question, please, Ms Finlay?

**Ms FINLAY** - My question is more around small producers and their ability to access slaughter and processing. There is a desire to have some on-farm approvals for on-farm slaughtering and processing, so that you can have regional local product. I am just wondering what is being progressed in preparing amendments for legislation to ensure that is possible.

**Ms BURROWS** - As you are probably aware, there are a few very small processors that provide that service right now. One of the things that we are currently doing is to ensure that they too meet the animal welfare outcomes that the other larger ones are also required to do.

I believe there's been a suggestion previously that a mobile service might work. As you can probably appreciate, Ms Finlay, the food safety standards that need to be met to ensure the safe production of food are very high. If people are just doing service kills for their families, that's not quite so critical, but if they start having them in any commercial way whatsoever, they must meet the fairly high food standards and hence the mobile abattoirs can't meet that sort of requirement. But as I say, there are service kills. These very small abattoirs that are dotted around the state can also meet those requirements for animal welfare, not on farm, but the smaller numbers of animals going to those smaller processors.

**Ms FINLAY** - Thank you for the answer. Minister, I know that you've had meetings - have you put your mind to the requests from small producers where there is a willingness to have a conversation - obviously meeting the standards - and being able to have on-farm slaughtering and processing so that we can have wholesale or retail in local communities and the local brands in Tasmania with our beautiful produce.

I'm wondering if you're progressing any amendments to legislation in order that we can meet the food standards, waste standards and all of those things that go with it as well, but also deliver that service to regional local communities.

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**Ms HOWLETT** - As I started before, Ms Finlay, we're having those discussions and I'm having those discussions at a departmental level. Rae has said that there are some issues with food safety and they're issues that we are currently working through, and we will see how we can assist these smaller on-farm abattoirs to meet those standards. That's something that we're working through and if we can come to a conclusion, then we will certainly make legislative changes.

**Ms FINLAY** - Do you see that -

**CHAIR** - Sorry, Ms Finlay, I am noting the time. Do you have that document to table?

**Ms HOWLETT** - Yes, can I please table those documents. We are just getting it printed.

**Ms FINLAY** - You do have it because you read from it and you committed to tabling it.

**Ms BURROWS** - We're committed to tabling the information that was shared.

**Ms FINLAY** - No, that's not correct. The question was, could you table the document?

**Ms HOWLETT** - I will take that information on notice and provide it back to the committee.

**CHAIR** - With the last minute, I might just let Ms Burnet finish off.

**Ms BURNET** - Minister, we will go back to the health of the river. On the department's website, it says that four case studies on river health will be completed in 2024. Are you on track for that time line and will you commit to publicly releasing the results of these studies in full upon their completion?

**Ms WILSON** - As noted, that study is on our website and is one of the programs that is funded through the Rural Water Use Strategy. My understanding is, subject to my team and making sure there's nothing about not getting to certain sites because we need to make sure the information is robust, that we are aiming to do it within the project time line and that the information would be made available.

**Ms BURNET** - Thank you, in full.

**CHAIR** - The time being 11 a.m., the time for scrutiny has expired. The next portfolio to appear before the committee is the Minister for Racing. We will now take a short break. As time taken for breaks must be made up. I encourage members to be as quick as they can, so no more than 10 minutes. Thank you.

**The Committee suspended from 10.59 a.m. to 11.10 a.m.**

**CHAIR** - The time being 11.10 a.m., the scrutiny for the Racing portfolio will now begin. I welcome the minister and other witnesses to the committee. I invite the minister to introduce persons at the table including names and positions for the benefit of Hansard.

**Ms HOWLETT** - Thank you Chair; we commence. Can I table these documents please from the previous committee?

**CHAIR** - Thank you.

**Ms HOWLETT** - At the table with me, to my right is Deirdre Wilson, Deputy Secretary, of Primary Industries and Water, Department of Natural Resources and Environment Tasmania, and to my left is Anita Yan, Deputy Chief Operations Officer of the Department of Natural Resources and Environment.

**CHAIR** - Thank you, minister. The time scheduled for the Estimates of the Minister for Racing is three hours. Would the minister like to make an opening statement?

**Ms HOWLETT** - Thank you, Chair. I would like to thank you and members of the committee. I grew up around racing and it's always been part of my family life. That's why I know that it's a really important part of many regional Tasmanian communities. I love its animals and its people. I'm pleased to be here today to talk about racing, which generates more than \$208 million in economic activity for Tasmania annually and involves 6400 people across the state, directly or indirectly.

The Tasmanian government is a proud supporter of the Tasmanian racing community and the passionate Tasmanians who are part of it. I know that some members hold opposite views and I respectfully accept that, but the government wants to provide the Tasmanian racing industry with a modern, effective and fit-for-purpose model for regulation and integrity to strengthen all three codes of racing in Tasmania and to see them thrive. That's because we know how important it is to the families, communities, local jobs and businesses that it supports.

In recent weeks we have taken a big step forward in delivering our 2030 Strong Plan for Tasmania's future in racing. The passage of the Racing Regulation and Integrity Bill 2024 and the Racing Regulation and Integrity Consequential Amendments Bill 2024 delivered an important part of our plan. The delivery of this reform will provide the Tasmanian racing industry with a modern, effective and fit-for-purpose model for regulation and integrity. It incorporates the recommendations from the independent Monteith Review for a best practice integrity model and reflects the feedback received from stakeholders and the community. This has been the result of two years of work to introduce the biggest reforms in decades for the Tasmanian racing industry. I thank my colleagues for supporting these improved reforms to deliver the key policy commitment.

Chair, at this point I want to recognise and thank members of both Houses who worked constructively with the government during the passage of the legislation. They provided important scrutiny and feedback and in a number of cases helped to improve the legislation through amendment. We now look forward to implementing this legislation so that we can continue to progress this work and help rebuild trust and restore faith in racing across all three codes and see them thrive. The 2024-25 Budget drives the delivery of our 2030 Strong Plan for Tasmania's Future by supporting measures to improve animal welfare, integrity and the overall wellbeing of the industry. It delivers funding for implementing the reforms across all three racing codes as we continue to support this industry.

The 2024-25 Budget delivers \$1.9 million to progress a new integrity model over the next two years. This funding will help establish the independent Tasmanian Racing Integrity Commissioner to oversee the administration and regulation of the Tasmanian racing industry.

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The new model will also see a specific role for the RSPCA in the provision of animal welfare advice relating to racing. Importantly, the RSPCA will also retain its powers.

**Mr WINTER** - Point of order, Chair. There is three minutes to provide answers, the minister's been going for three and a half minutes so far.

**CHAIR** - Do you have much more to, minister?

**Ms HOWLETT** - I have a fair bit of relevant information.

**Dr WOODRUFF** - Chair, three minutes for the opening statement is what we've had at Estimates, that's the practice.

**CHAIR** - If the minister can wrap up and then we can move on to questions, please.

**Ms HOWLETT** - Thank you. Thank you, Chair, and thank you for the committee's indulgence. As I said, we have developed the biggest reforms in decades to the Tasmanian racing industry and I look forward to taking questions on that.

**Mr WINTER** - Thanks. Minister, the ABC released its report which outlined allegations of race fixing, animal welfare issues and team driving 18 months ago today. Today is 18 months exactly since the ABC produced that report. Since then, Ben Yole has moved his horses into his father's name, they're still trained at the same hellhole at Sidmouth as they were before. There's been no changes in terms of animal welfare regulations. The same drivers, Nathan and Mitch Ford, who were found to have participated in team driving, are still driving.

Minister, in terms of the Murrihy Review, in the scope of charges Mr Murrihy outlines that the terms of reference did not include laying necessary charges and that's why he didn't. Can you confirm that Mr Murrihy was asked to lay charges at the end or nearing the end of his work, but he refused to do so.

**Ms HOWLETT** - Thank you, Chair, and I thank the member for his question. Our government released in full with no redactions, the final report from Mr Ray Murrihy. Importantly, the implementation of our response to the Murrihy Review is well underway. The secretary of NRE Tasmania is overseeing an implementation committee that reports directly to me and is progressing the findings in the Murrihy Report.

The second quarterly progress report was published in full on the NRE Tasmania website in June. The progress report also detailed that the chair of the independent stewards board has advised more time was required to consider evidence and to make a finding into every matter under investigation by that panel. The final report will be provided to me on 30 September. It's important that the work of the independent stewards panel can continue without any political interference and I won't comment any more on these matters.

What I will say is that I back the actions of Tasracing and that licensed participants with adverse findings following the investigation, should be held accountable. I note Tasracing and industry have also made changes to improve on-track competitiveness by implementing a revised Equality in Participation policy. This supports Mr Murrihy's advice that the greatest safeguard against adverse integrity matters is increased competition.



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The Greens and others have publicly called on me to respond; well, the government has responded with our election policy and our commitments delivered in our first 100 days and that's why we've set a new course to address the failures identified and which will ensure that accountability and transparency underpins our racing industry. This includes a new legislation that will provide the Tasmanian racing industry with a modern fit-for-purpose model.

**Mr WINTER** - Point of order, Chair. We've been going for two minutes.

**CHAIR** - I think the minister has just finished.

**Mr WINTER** - Just to remind the minister that the question is, was Mr Murrehy asked to lay charges at the end of his work and did he refuse?

**Ms HOWLETT** - As I stated before, Chair, this was an independent review, so I have no visibility of that.

**Mr WINTER** - No, the question, minister, was did NRE Tasmania or the Office of Racing Integrity ask Mr Murrehy to lay charges and if so, did he refuse?

**Ms HOWLETT** - Deputy Secretary, would you like to add any more? As I have stated, it was an independent review and I have no oversight of that review.

**Ms WILSON** - Through you, minister, the terms of reference to Mr Murrehy's review are on the department's website.

**Mr WINTER** - The question I asked was did NRE or the Office of Racing Integrity or the minister at the time ask Mr Murrehy to lay charges at the end of his work and did he refuse, citing the terms of reference? Perhaps you could take on a notice if you don't know the answer.

**Ms HOWLETT** - I'm not taking that on notice, chair, as I have already provided my answer.

**Mr WINTER** - No, you haven't provided the answer to the to the question. This is really critical, minister, because at this point in time -

**Ms HOWLETT** - It is very critical and as I have stated, it's an independent review and I have no oversight; as you know, I have no oversight of that review.

**Mr WINTER** - The question is about the interaction between the department, NRE, and the person asked to do the independent review. The expectation from industry, from myself, was that Mr Murrehy would lay charges. He made findings against four participants. All four are still allowed to race in Tasmania. Two of them were driving on Sunday night. Minister, is it a fact that Mr Murrehy refused to lay charges after having been requested to do so by NRE Tasmania and all the minister's office?

**Ms HOWLETT** - I have answered your question and I have nothing further to add.

**Mr WINTER** - No, you have not. You can't just say you have answered it and not answer the question. It is a yes or no.

## PUBLIC

**CHAIR** - Order.

**Ms HOWLETT** - I had no visibility over that and it was an independent review.

**Mr WINTER** - We know it is an independent review.

**Ms HOWLETT** - And you know that I have no oversight over that review.

**Mr WINTER** - The NRE did have oversight over the independent review; that is how it was commissioned.

**CHAIR** - Order, Mr Winter. There are interjections going both ways. I will let Mr Winter ask his questions without the minister interjecting, and then likewise if the minister can answer the questions, I will allow Mr Winter to follow up with supplementary questions and I will remind people I cannot direct the minister to respond to questions in any particular way. If members are not satisfied, they can ask further questions, as I am allowing, or they can raise it as a matter of concern in the report. One more additional question, and then we will go to Dr Woodruff.

**Mr WINTER** - Minister, do you accept that the failure to include laying necessary charges in the terms of reference was a massive oversight that has led to an additional almost 12 months of uncertainty and those participants continuing to participate in our industry despite those findings of animal welfare breaches, team driving and race fixing being made against them?

**Ms HOWLETT** - I have answered your question, Leader of the Opposition, and as I have stated -

**Mr WINTER** - No, you have not. That is a different question. How could you have answered it?

**Ms HOWLETT** - I look forward to 30 September when the independent stewards panel -

**Mr WINTER** - Is this how this is going to go all day? You are just not going to answer any questions?

**Ms HOWLETT** - Probably. We'll see.

**Mr WINTER** - 'Probably'? So, you are not going to answer any questions at all today?

**CHAIR** - Order.

**Ms HOWLETT** - I am waiting for the independent stewards panel review to be handed down on 30 September -

**Mr WINTER** - This is going to be a long three hours, minister.

**CHAIR** - Dr Woodruff.

## PUBLIC

**Ms HOWLETT** - And I will not do anything to prejudice that -

**Mr WINTER** - I know you will not do anything, minister, we have seen that enough.

**Ms HOWLETT** - Oh, really

**CHAIR** - Order.

**Ms HOWLETT** - Withdraw that comment, please.

**Mr WINTER** - No. You are a witness here, minister.

**Ms HOWLETT** - I take deep offence to that.

**Dr WOODRUFF** - Minister, this report. A Few Bad Apples is being released today by Animal Liberation Tasmania. I can't table it, but I could hand you a copy if you would like to receive it. It is being released today and it is a very deep independent review of 19 properties in government data that has been compiled on deaths and injuries in the greyhound industry. It paints a terrible and accurate picture of what is happening in greyhound racing in Tasmania.

It quite clearly sets out some devastating statistics. Five per cent of the 750 dogs that have been raced in Tasmania in the last year alone have died on the track, and over 10 per cent of them have suffered serious injuries requiring more than a three-week stand-down period. Half of them have died aged three years or younger from injuries sustained on the track, and over half have died from injuries on the track or from trialling or at trainers' properties.

Minister, it is clearly not just 'a few bad apples' that are creating this intolerable situation for gentle greyhounds, is it? These are the facts of what is happening in greyhound racing in Tasmania. You should not need to get advice about this. It is clearly a systemic issue: 750 dogs, 5 per cent of them in this year alone have died, and 10 per cent of them have suffered serious on-track injuries. It is not just a few bad apples, is it?

**Ms HOWLETT** - Thank you, Dr Woodruff. I respect that we have different opinions, and what I will say is: the majority of whether it be greyhound owners, thoroughbred owners, or harness owners and trainers do the right thing, and they look after their animals. The majority do the right thing. You just handed me this report that Animal Liberation Tasmania have commissioned. As I said, the majority of owners and trainers do the right thing in all three codes in the Tasmanian racing industry.

**Dr WOODRUFF** - Well minister, the facts speak for themselves. When you've got 748 dogs that have been racing this year, 5 per cent of them have died from on-track injury, 10 per cent of them have suffered serious track injuries, many more of them have suffered lower level track injuries. This is the reality of the industry: it's broken. Its daily operation and survival depends on cruelty and pain and suffering of incredibly gentle dogs and their premature deaths, not to mention the public funds that are required to prop it up.

How can you say that this is an industry of animal lovers? And how can you pretend that it's not systemic?

**Ms HOWLETT** - Thank you, Chair, and thank you, Dr Woodruff. As I said, the majority of racing participants love their animals and any fatality, whether it be on-track or off-track, is heartbreaking for owners and trainers. I am absolutely committed to ensuring contemporary animal welfare outcomes are met by all three codes and to ensure full transparency regarding animal welfare. Tasracing is providing information in their annual report on equine and greyhound track injuries, euthanasia, retirement, and rehoming statistics. As confirmed by the leader of the Greens during the Racing Regulation and Integrity Bill debate, all this information can be gathered from the Office of Racing Integrity and Tasracing's public disclosure. There's no hiding behind any information. It's transparent and it's available.

Our legislation will result in stronger animal welfare standards and increased transparency across the industry and I look forward to that being enacted very soon. I can table you any statistics or read them out to you as far as greyhound mortality notifications from the 1 July 2023 to 30 June 2024, if you would like.

**Dr WOODRUFF** - No, thank you. I've got them all and they're compiled in this report. I'll move to my question. This is available from public data, but what has never been available is the independent evidence that's provided through video footage of just the last year alone of the intolerable conditions that greyhounds are subjected to living in across Tasmania. These are 19 properties. This is not just one person. They all show conditions which are absolutely deplorable. And the question is, is the reality of the pain and suffering that is required for the greyhound racing industry to continue the reason that you didn't include the word humane in the racing act changes that went through in that legislation? Is that why you can't actually require that this industry is humane because if you did it would have to close down?

**Ms HOWLETT** - No, that is not the reason, and Dr Woodruff, can I thank you for your report.

**Dr WOODRUFF** - It's the report of Animal Liberation Tasmania, their independent work.

**Ms HOWLETT** - I can't read that report now, but I will take the time and consider and read the report that you have provided through Animal Liberation Tasmania.

**Dr WOODRUFF** - But, in answer to the question, is this reality the reason that you can't actually require this racing industry to be humane because if it was required to be so then it would not survive because it survives for profit on these horrible conditions that greyhounds are subjected to and their premature death.

**Ms HOWLETT** - Dr Woodruff, you've heard me say this many, many times: the Tasmanian government is absolutely committed to improving animal welfare outcomes in the racing industry across all three codes. I've said that so many times. Kennel and stable inspections are a key tool in ensuring animal welfare at training facilities are met. Contemporary standards and that these facilities -

**Dr WOODRUFF** – But they don't.

**CHAIR** – Order.

**Ms HOWLETT** - Thank you, Chair. These facilities are compliant with the rules of racing.

The Office of Racing Integrity conducts risk-based and targeted inspections of licensed racing premises, ensuring that racing animals are properly cared for and licensed participants are complying with animal welfare legislation and the rules of racing. In the 2023-24 financial year, stewards from the Office of Racing Integrity conducted 437 inspections of licensed training facilities compared to 392 in the 2022-23 financial year. Under the Racing Regulation and Integrity Bill 2024, inspections will continue under the new integrity model.

**Ms JOHNSTON** - Minister, I appreciate you haven't had the opportunity to read Animal Liberation Tasmania's report, A Few Bad Apples, but as Dr Woodruff has outlined, it is a disturbing report talking about serious animal welfare concerns in the greyhound racing industry.

You just outlined that you have mortality statistics. I can indicate to you that those statistics are only a small portion of what Animal Liberation Tasmania has been able to provide with their calculations, as they're looking at the greyhound racing industry more broadly than Tasracing does.

Minister, do you consider and accept that the act of greyhound racing is inherently dangerous and risky for greyhounds?

**Ms HOWLETT** - Thank you, Chair. Stewards have the power to inspect, search premises, examine any horse or greyhound on the property, and seize anything considered necessary. All new training licence applications must have a satisfactory inspection of their training facility conducted by the stewards before being granted a licence.

Inspections of training facilities include a review of registered animals present, focusing on animal welfare; treatment areas and treatment logbooks; stables, yards, kennels and runs for animal safety and suitability for purpose; fencing; feed rooms; water reticulation and air circulation; general facilities; cleanliness and suitability for purpose; and, when needed, the Office of Racing Integrity works collaboratively with local government authorities, Fire Security Tasmania and the RSPCA in ensuring that the regulatory regimen is stringent and relevant intelligence is shared.

**Ms JOHNSTON** - Minister, that wasn't my question. My question was, do you accept that the act of greyhound racing is inherently risky and dangerous to the welfare of greyhounds.

Now, as Dr Woodruff has indicated, the report before you says that 5 per cent of all greyhounds raced in Tasmania in the prior season are now listed as deceased, 50 per cent of those deaths are related to injuries sustained on track, on private straight tracks and at trials. They have died because of racing.

Do you accept that the act of racing a greyhound poses a risk to greyhounds' welfare?

**Ms HOWLETT** - As I've said, Ms Johnston, previously and many times, and you've heard me say this, I believe that whether it be greyhound, thoroughbred or the harness industry, the animals are loved very much by the trainers and owners, and the majority of them are looked after incredibly well.

**Ms JOHNSTON** - That's not an answer to my question. I asked about the 'risk' of racing, not whether they're kept in conditions, but the 'risk' of racing. Do you accept that there is a risk when they race that they will be injured or killed?

**Ms HOWLETT** - I don't believe I'm going to answer that question.

**Ms JOHNSTON** - Are you denying the fatalities on track?

**Ms HOWLETT** - The statistics are there across all three codes, Ms Johnston, regardless of whether it's greyhound, thoroughbred or harness -

**Dr WOODRUFF** - And of deaths and injuries, that's right.

**Ms HOWLETT** - That's right.

**Ms JOHNSTON** - There is a risk.

**Ms HOWLETT** - All three codes. I'm not sure why you are just focusing in on the greyhound code.

**Ms JOHNSTON** - Would you consider that a risk?

**CHAIR** - Order.

**Dr WOODRUFF** - Let's just start with greyhounds.

**Ms HOWLETT** - I'm sure you will. I am sure that will occur, Dr Woodruff.

**Members** interjecting.

**Ms HOWLETT** - Would you like to add anything?

**CHAIR** - Order.

**Mr FAIRS** - Thank you, Chair. Minister, can you please provide an update on the government's response to the recommendations of the Murrihy report?

**Ms HOWLETT** - Thank you for the question. I recognise there is considerable and understandable interest in these matters both here in parliament and in the Tasmanian community more broadly. Our government released in full, with no redactions, the final report from Mr Ray Murrihy. Importantly, the implementation of our response to the Murrihy review is well underway. The secretary of NRE is overseeing an implementation committee that reports directly to me and is progressing the findings of the Murrihy report.

The second quarterly progress report was published in full on NRE's Tasmanian website in June. The progress report also detailed that the chair of the independent steward's panel has advised more time is required to consider evidence and to make a finding into every matter under investigation by that panel. The final report of the independent steward's panel will be provided to me on 30 September. This final report will coincide with the next progress report

on NRE's Tasmanian website with an update on all recommendations. As I've said before, Chair, it's important that the work of the independent steward's panel can continue without any political interference and I won't comment any more on these matters.

Key progress highlights against recommendations to date include a draft equine code of practice. Tasracing and the Office of Racing Integrity have collaborated to produce a draft equine code of practice, which is being considered by the industry. A process to report animal welfare concerns in relation to racing has been developed using the report at [rspcatas.org.au](http://rspcatas.org.au) portal and Tasracing's Off the Track program will be expanded with the engagement in July 2024 of a consultant formally responsible for setting up Racing Victoria's Off the Track program and amended equity in to participation policy as well.

Professional development of steward's has been progressed with engagement of a highly experienced international steward as a mentor for a period of time, facilitating cadet stewards to work with racing regulators in other states, and through development of a manual of a steward's procedure.

My very clear expectation is that industry will support this new direction with the leadership and commitment required to ensure harness racing, greyhound racing and thoroughbred racing thrive in Tasmania. I understand and appreciate the significant interest in these matters and I'm looking forward to the report of the independent stewards' panel being released on the 30 September, which is very soon.

**Mr WINTER** - Spot on, three minutes. Well done to the advisors for getting that perfectly spot on to waste the time. Minister, you just said that the Murrihy review is well underway, which means it is laughable. We still have the same participants participating in this industry who were 18 months ago when these allegations were publicised. It is laughable. Minister, one of those participants is Nathan Ford. Are you friends with Nathan Ford?

**Ms HOWLETT** - It's Tasmania, Leader of the Opposition, I know lots of people. What do you define as a friend? A friend on Facebook, a friend if you see them at the races, or a friend that you have coffee or dinner with? No, I certainly don't have coffee or dinner with Mr Ford. If I see Mr Ford at the races, I say hello to many people at the races and I think I have 5000 friends on my Facebook and I can tell you now, I don't know the majority of them.

**Mr WINTER** - On 12 February you posted a message on Mr Ford's Facebook page wishing him happy birthday. That was two weeks after the findings of the Murrihy review were publicised. How have you gone about dealing with the conflict of interest that you might have given your personal relationship with Mr Ford and you're having to deal with these matters?

**Ms HOWLETT** - I certainly don't have a personal relationship with Mr Ford, Leader of the Opposition.

**Mr WINTER** - You just alluded to having some kind of friendship with him.

**Ms HOWLETT** - I did not allude to having some kind of friendship with him at all.

**Mr WINTER** - Right.

**Ms HOWLETT** - I alluded, I say hello to many people at the races, Leader -

## PUBLIC

**Mr WINTER** - That's the Facebook post. Do you do that to everybody?

**Ms HOWLETT** - I actually do to everybody. When I wake up - you can go through my Facebook and I say happy birthday to everyone that comes up on my -

**Mrs PENTLAND** - I do that too.

**Ms HOWLETT** - Yes, you do it too. It's just a habit -

**Mr WINTER** - Have you sought to declare any form of conflict of interest around that or any other relationships that you've got within the racing industry in relation to dealing with these four people named in the Murrihy review?

**Ms HOWLETT** - I don't have a personal or friendship with any of those people listed in the review.

**Mr WINTER** - Minister, did you have a conversation with Wayne Yole at Elwick this year at any point in time?

**Ms HOWLETT** - I have conversations with many people. As you know - I'm not quite sure what this has got to do with the Budget, but Chair -

**Mr WINTER** - So you did have a conversation with Mr Yole?

**Ms HOWLETT** - I don't - this is about the Budget -

**Mr WINTER** - Are you being coached by the deputy secretary here? This is highly unusual.

**Ms HOWLETT** - and my family's involvement in racing is a matter on public record, Mr Winter. I have no direct interest in the racing industry. I'm not a direct beneficiary, financial or otherwise.

**Mr WINTER** - Did you ask Mr Yole how Ben was?

**CHAIR** - This is the last, and then we'll move on to Dr Woodruff.

**Ms HOWLETT** - I provided you with an answer.

**Mr WINTER** - For the record, the minister's being coached by the advisor behind giving the words for her to say. Also, that the deputy secretary's been providing some coaching and advice.

Minister, did you say to Wayne Yole that if Ben had anything he needed that he should give you a call?

**Ms HOWLETT** - I wouldn't think so.



**Mr WINTER** - Is that a yes or no? Unless they were there, minister, it's really a question for you.

**Ms JOHNSTON** - A pretty straightforward question.

**Mr WINTER** - You are like Madeleine Ogilvie asking whether she'd been to the races.

**Ms HOWLETT** - I've answered your question.

**Mr WINTER** - No, you haven't. It's a yes or no answer.

**Ms HOWLETT** - Chair, I've answered the question.

**Dr WOODRUFF** - Minister, back to the the terrible reality of the conditions that greyhounds that are involved in the racing industry in Tasmania suffer everyday, the injuries that this report compiles - and as you said before, this is all government data but it's never been collected together in a place that is so clear - it shows the the horrible scale of cruelty that occurs on a regular basis.

At almost every race there is a dog injured at the track. In fact, it would be exceptional if it didn't happen. Some of the figures over just this last year - one year in the greyhound racing industry in Tasmania - in one quarter, 71 dogs were injured, 63 were injured and eight were seriously injured and had to be stood down for a period of three weeks or more. In the previous quarter, 88 injuries, with 77 so-called minor injuries, and 11 are so serious that they had to be stood down for three weeks. We know from the evidence of this report that greyhounds that suffer injuries at the track go on and can subsequently die from those injuries because it can take weeks for their death to occur.

Minister, this is the reality of the greyhound racing industry in Tasmania. Do you accept that it has cruelty baked into the heart of it?

**CHAIR** - Before the minister answers that question, I know that there's been requests for me to rein in the length the minister's taking to answer some of the questions. That question took a minute and a half and there's been quite a few that have gone over a minute. I'm happy to keep the timings of answers, but that'll include keeping the timings of the questions too. I'll just make that point.

**Ms HOWLETT** - Thank you, Chair, and that's why our new legislation will provide the Tasmanian racing industry with a modern, effective, and fit for purpose model for regulation integrity, including improvement to animal welfare outcomes.

The government and Tasracing now invest more than \$1 million to support animal welfare every year. I want to ensure that dogs are treated with dignity and care before, during and after their racing days, and I welcome the shared interest from the Leader of the Greens, Dr Woodruff, and also the independent member for Clarke on this.

To ensure full transparency regarding animal welfare, Tasracing is providing information in the annual report on equine greyhound track injuries, euthanasia, retirement, and rehoming statistics. As confirmed by the Leader of the Greens during the Racing Regulation and Integrity Bill 2024, information can be gathered by the Office of Racing Integrity and Tasracing public

disclosures. I've stated before, there's no hiding of any information. It's transparent and it is available.

That is why the government provided \$200,000 in grant money last year to RSPCA towards several animal welfare initiatives, including for the RSPCA to analyse lifetime traceability options for greyhounds as well as adoption processes and linkages to local government. I am advised that options for electronic lifetime tracking of greyhounds similar to a system utilised by the New South Wales Greyhound Welfare Integrity Commission are actively being considered. We have announced additional funding for the RSPCA to access an investigation management system for their animal welfare officers. This system will align with those existing in our agencies and will ensure more consistency in information management.

I'm advised that the RSPCA and ORI will provide their recommendations for lifetime traceability options for greyhounds and adoption processes to me, as the Minister for Racing, in the coming months. This includes a new traceability option for noseprint technology that the Office of Racing Integrity is exploring. I look forward to receiving their report and recommendations, and working with the RSPCA and industry on their implementation.

Improvements in traceability relating to rehoming are important in building transparency and trust. As Racing minister, that's my priority. I want to rebuild trust and restore faith in the industry. We are getting on with the job. I look forward to the new legislation being enacted very soon.

**Dr WOODRUFF** - Minister, what we've got is 5 per cent of the greyhounds that started racing over the last year are now deceased and 10 per cent of them have suffered serious injuries. According to your own data we've had something in the order of 300 that have suffered injuries of some type. This is out of 748 greyhounds. Do you accept that there is inherent risk for dogs racing in the greyhound industry?

**Ms HOWLETT** - Deceased, accidental causes, were a total of seven; deceased, illness or age, were a total of seven; deceased, natural causes, were six; deceased within 14 days after track injury were one, deceased, injury, was one; euthanised at track due to -

**Dr WOODRUFF** - Chair, point of order, standing order 45. It's not the question I asked.

**Ms HOWLETT** - This is important information.

**Dr WOODRUFF** - I've just quoted the statistics to the minister about the number of deaths and injuries.

**CHAIR** - I can't direct the minister to answer a question in a particular way. I'll draw the minister to the question, but I'll allow you to ask additional questions and follow a line of questioning, if you can please let the minister answer in silence.

**Ms HOWLETT** - Deceased, injury, one; euthanised at track due to injury, two; euthanised within 14 days after track injury, four; euthanised due to illness or age, 22; euthanised due to injury, 14, euthanised due to not suitable for racing, zero; euthanised due to not suitable for rehoming, two. The number deceased is 66 from 1 July 2023 to 30 June 2024.

**Dr WOODRUFF** - And?

**Ms HOWLETT** - I've read you the stats I have.

**Dr WOODRUFF** - My question remains. You haven't answered that yet. I've been waiting patiently.

**Ms HOWLETT** - I just read you my stats. I have not had the time, as you would be well aware, to read the report you have presented to me. I will do so in due course.

**Dr WOODRUFF** - You still have not answered my question, minister. The question was: there are, by your government's information - and you've got some of it that you've just read out, 5 per cent of all the dogs that have raced in the last year have died as a result of track injuries. There is another 10 per cent that have suffered serious injuries. Do you accept that there is an inherent risk to dogs racing in the greyhound industry, including all the information you've just read out? Or do you think that that's an anomaly, that this year is somehow different to every other year for the greyhounds in this industry?

**Ms HOWLETT** - Dr Woodruff, as I said, euthanised at track due to injury were two and euthanised within 14 days after track injury were four.

**Dr WOODRUFF** - That is deliberately not listening to the question and answering it. I'm slightly embarrassed on your behalf. Will you please answer the question?

**Ms HOWLETT** - I've answered your question.

**Dr WOODRUFF** - You think there's no risk?

**Ms HOWLETT** - I've answered your question. Dr Woodruff. Chair, I've answered the question.

**CHAIR** - Last question and then we go to Mrs Pentland.

**Dr WOODRUFF** - On the racing legislation that's been through, can you describe to me the current situation about who undertakes inspections for greyhounds at properties, how they're housed? As it stands, it is ORI that undertakes the inspections.

**Ms HOWLETT** - Announced and unannounced.

**Dr WOODRUFF** - ORI is being axed and replaced with the Animal Racing and Welfare Commissioner, if I remember correctly. This is moving to a sort of self-regulation where stewards who are employed by Tasracing will do the welfare checks on track. Who is doing the property checks under the new legislation?

**Ms WILSON** - The bill that was passed moves the stewards into the Tasracing integrity unit, which is headed by Tasracing chief racing integrity officer. That group is set up to report to a board, which has two independent officers. The most important thing I would like to say is that the Tasracing integrity commissioner will be setting animal welfare standards. Under the bill they will set standards for numbers of inspections and they can undertake an audit function.

## PUBLIC

**Dr WOODRUFF** - Who will do the inspections of properties?

**Ms WILSON** - It will continue to be stewards but I would also note that if there's -

**Dr WOODRUFF** - They will inspect trainers' properties and owners' properties?

**Ms WILSON** - As they do now.

**Dr WOODRUFF** - So, the industry will self-regulate itself when it comes to animal welfare conditions?

**Ms WILSON** - I will go to the facts around the bill, rather than any commentary. The bill sets up a Tasmanian racing integrity commissioner who can set standards and can audit. In terms of the regime, it has important checks and balances.

**Mrs PENTLAND** - Minister, in 2021-22, 4078 swabs were taken and the positive detection rate was 0.34 per cent. By 2022-23 this had reduced to 3829 swabs with a lower positive detection rate of 0.23. In 2023-24 the number of swabs decreased again to 3519, yet the positive detection rate significantly increased to 0.74. Given this clear rise in positive detections, what is the rationale behind reducing the number of swabs over this year? Does the department believe fewer tests are adequate to ensure the integrity of the racing industry, especially when there is a rising trend in positive results? Shouldn't more swabs be conducted to address this concern?

**Ms HOWLETT** - Detection of prohibited substances which may alter the performance of animals or their handlers is an important component of ensuring integrity in racing. The Office of Racing Integrity (ORI) stewards conduct random and targeted sampling for detection of prohibited substances during race meets, trials and also on their property inspections. The Office of Racing Integrity annually invests around \$602,000 in testing for prohibited substances, which is undertaken accordingly to nationally accredited protocols including sample-handling procedures which ensure maintenance of chain of custody, and the use of NATA accredited laboratory methods. Under the rules of the Racing Regulation and Integrity Bill 2023, stewards will continue to enforce the rules of racing through the Tasracing Integrity Unit.

Deputy secretary, would you like to speak more on the swabs?

**Ms WILSON** - Through you, minister, we do report on the number of swabs taken. In 2021-22 there were 39 human - I'm assuming that's where you're going?

**Mrs PENTLAND** - Yes, it was the outputs.

**Ms WILSON** - In 2022-23 it was 95; 2023-24 was 67. You can see that there is a trend to undertake those swabs and they're still undertaken as required.

**Mrs PENTLAND** - But even though there's an increase in positive swabs, the number of swabs decreased by 500 over 4000.

**Ms WILSON** - Through you, minister, I'm just going to check this year's figures because I think I've got some -

**Mrs PENTLAND** - They're outlined in the budget papers, if you -

**Ms WILSON** - I appreciate what you are saying. I'm just checking to see.

From the period 1 July 2023 to 30 June 2024, 3519 racing animals and humans were tested for prohibited substances.

**Mrs PENTLAND** - That's correct, and in 2021-22 there were 4078, but then the positive detection rate was 0.34. Then, in 2023-24, the positive detection rate was 0.74. Obviously, there is a higher positive detection rate, yet we're conducting less swabs, a lot less swabs.

**Ms WILSON** - Through you, minister, the figures in terms of the actuals for 2021-22 to 2022-23 have changed, but it's still very high numbers of swabs taken by stewards at 3519. The fact that there is a higher positive test result means that the stewards are finding and are able to take action. Obviously, what would happen is once you start to see these kinds of numbers, the Director of Racing and stewards could do a review to determine if they need to increase swabbing or whether they take a more risk-based approach.

**Mrs PENTLAND** - Do you have a break -

**Dr WOODRUFF** - There's only two questions, only one question.

**CHAIR** - As I said earlier, if you ask a number of questions, I am keeping track of them.

**Mrs PENTLAND** - That was the one question really, I just wanted -

**Dr WOODRUFF** - You get one question.

**Mrs PENTLAND** - Just to follow up, if we could get a breakdown -

**Dr WOODRUFF** - No, actually Miss Johnston asked a question -

**CHAIR** - That's the second question -

**Dr WOODRUFF** - and Mrs Pentland asked a question and there's two questions to the independents and the JLN at the Chair's discretion but not more. It has already been two.

**CHAIR** - What I've been doing every single time around is a ratio - not number of - a ratio of three to Labor, two to the Greens, two to the Independents and I've been interchanging between each Independent - the Independents as a whole. Ms Johnston went on the last rotation, Mrs Pentland's on this rotation. I'm allowing her a line of questioning as well according to the ratio. Then it'll be Mr Fairs and I'm keeping a record of that. You asked more than two questions as well, which is fine. I'm allowing Mrs Pentland a line of questioning. This will be your last question and then we'll go to Mr Fairs.

**Dr WOODRUFF** - I just wanted to clarify, thank you, Chair, you're doing a good job.

**CHAIR** - I appreciate that.

**Dr WOODRUFF** - It is the difference between an interjection and back and forth on the same question that's asked, as opposed to a second completely different line of questions, that's the point I'm making.

**CHAIR** - Okay, look, I'll -

**Mrs PENTLAND** - This is in reference to the same question.

**CHAIR** - This is why the interjections make it difficult for Hansard, it makes it more difficult for me as the Chair. If we can keep the interjections to a minimum. I'm allowing people to ask follow-up questions to pursue a line of questioning. If we can keep the interjections to a minimum it'll make it a lot easier for the proceedings of today to continue.

Mrs Pentland, you have one more question and then we'll go to Mr Fairs.

**Mrs PENTLAND** - I wanted to see if it was possible to have a breakdown of the positive swab detections - what code of racing they belong to, whether they're the greyhounds or the trots or the horseracing, if that was possible.

**Ms HOWLETT** - As far as drug testing in the harness sector, we had 1748; greyhound we had 612; thoroughbred we had 1092; and human testing was 67. The total tests conducted were 3519. I note that we had a target of 3500, so we exceeded our target with swabbing.

**Mr FAIRS** - Minister, in your opening statement you talked about the positive economic impact of the industry. Could you expand a bit more on that, please, and also how the industry is supporting regional communities and job creation?

**Ms HOWLETT** - Thank you, Chair. I thank the member for his question and recognise his interest in supporting the longevity and sustainability of an industry that generates close to \$208 million in economic activity for Tasmania, and which involves more than 6400 people across the state. The industry is critical for the state, generating economic activity, importantly, in our rural and regional communities.

On 23 August the Size and Scope report produced by IER, and based on consistent methodology, provided data that in 2021-22 the Tasmanian racing industry generated total direct spending of \$189.6 million. This expenditure was responsible for creating a direct value-add impact in terms of wages, salaries and profits of \$111.3 million. The flow-on effects linked to this expenditure increase the size of the industry's value-added contribution to \$207.5 million. Around 40.3 per cent of the total value-added impact occurred in regional areas of Tasmania, whilst 39.6 per cent occurred in Hobart, and 20.1 per cent in Launceston.

The economic output generated by the Tasmanian racing industry was directly responsible for sustaining 993 full-time FTE jobs across the state. When flow-on employment impacts are considered, the total FTE impacted generated by the Tasmanian racing industry rose to 1735 jobs. This total represents the employment sustained within the industry, as well as the employment that is sustained in supply industries who meet the demand created by racing industry activity.

In 2021-22, close to 110,400 attendances were recorded at thoroughbred, harness and greyhound race meetings in Tasmania. More than 77 per cent of these attendances were made

at Metro racecourses in Launceston 43.8 per cent, and Hobart 33.4 per cent, with the remaining 22.7 per cent occurring in regional Tasmania. In total, there are over 6400 individuals who participate in the Tasmanian racing industry. Many of these people enjoy gainful employment of their specific skill set, particularly in the breeding, training and racing-related disciplines.

The industry is supported by close to 1100 people who volunteer their time and resources. For many of these people, local racing clubs are an important part of their community and provide valuable opportunities to stay active and engage with people from all walks of life.

Owners race for close to \$29 million in prize money and bonuses that are on offer across the three codes.

**Mr WINTER** - Minister do you deny telling Wayne Yole to tell Ben Yole to give you a call if he needed anything?

**Ms HOWLETT** - Chair, I have lots of conversations with people across many meets, whether it be harness, greyhound, thoroughbred. I attend the races regularly, as do you, and I'm sure you have many conversations as well.

**Mr WINTER** - Not with people who have been warned off the racetrack, minister, I don't. Have you had any conversations with Ben, Tim or Catherine Yole since you returned as Racing minister?

**Ms HOWLETT** - I have many conversations with many people across all three codes, and I've answered that question before, Chair.

**Mr WINTER** - Specifically, the question was, have you had any conversations with Ben, Tim or Catherine Yole since you returned as Racing minister?

**Ms HOWLETT** - I talk to lots of people across all three codes in the racing industry and so do you, Mr Winter.

**Mr WINTER** - I don't have conversations with people who've been warned off racetracks and been found to have belted animals, to have race-fixed. Are you defending them now? Is that your role?

**Ms HOWLETT** - I am not defending anyone?

**Mr WINTER** - By not saying whether you've spoken to Ben, Tim or Catherine Yole, it leads me to believe that you probably have. If you hadn't, you would just say you haven't. What was the nature of those conversations?

**Ms HOWLETT** - I speak to many people across the industry, across all three codes.

**Mr WINTER** - Is it that you can't recall, or is it that you're just not saying?

**Ms HOWLETT** - As I said, Mr Winter, as do you, you speak to many people across the industry, whether it be at industry nights or race meets, or at the track.

**Mr WINTER** - This is really concerning, minister, that you are refusing to say whether you've had conversations with these people. There have been serious findings made against Ben and Tim Yole in relation to the abuse of a horse in a wash bay. There have been serious findings against Mitch and Nathan Ford in relation to having team-driven in order to fix races. These have been findings made by an independent review, and yet you're refusing to say whether or not you've had conversations with them. Have you felt the need, at any point, to declare a conflict of interest in relation to the conversations you're having with these disgraced racing personalities?

**Ms HOWLETT** - Chair, let me be very clear. The opposition understands and knows the process here. Let me be clear, what he's doing now is nothing but political opportunism, and it is nothing but rank. He chooses rank political opportunism in perpetuating misleading reports about racing licencing, because he's being nothing but a rank political opportunist, Chair.

**Ms BUTLER** - You're reading that, minister. Excuse my interjection.

**CHAIR** - Order. Can the minister finish her answer? I'll let Mr Winter continue a line of questioning. It might be easier if the minister isn't inciting interjections with her comments, but I will ask that the minister be heard in silence and then I'll ask Mr Winter if he has a follow-up question.

**Ms HOWLETT** - I've answered Mr Winter's question.

**Mr WINTER** - Minister, how can the industry have confidence - an industry which has led the change around the reforms to racing, about getting Ben Yole out of the industry. How can they have confidence in you if you're refusing to say whether or not you've had conversations with him or other family members since you became Racing minister again?

**Ms HOWLETT** - Thanks, Chair, and I thank the member for his interest in this. This is an independent review. The review will be handed down on 30 September and, like many people in the racing industry, I am very much looking forward to seeing the independent stewards report on 30 September.

What you are doing is interfering politically, and it's nothing-

**Mr WINTER** - It's quite a serious allegation to make, that I'm interfering. I'm not interfering. I'm asking you a question. I'll keep going with a line of questioning, if that's okay with you, Chair?

**CHAIR** - Last question and then we will go to Dr Woodruff.

**Mr WINTER** - Minister, the Murrihy review clearly demonstrates a regulator that has serious issues relating to complaints handling, lack of policies and procedures, a lack of leadership, accountability and transparency. Does the fact that you and your government have had to bring in an independent stewards panel to undertake this investigation, rather than ORI's own stewards, demonstrate that you have no confidence in the Office of Racing Integrity and its stewards?

**Ms HOWLETT** - I think that question is irrelevant now, with the new legislation.



**Mr WINTER** - It's about your independent inquiry, minister.

**Ms HOWLETT** - This is about to occur, and the independent stewards review, as I've stated, and I'll state it again, I look forward to the handing down of the report on 30 September.

**Mr WINTER** - Do you have confidence in the Office of Racing Integrity?

**Ms HOWLETT** - I think that question is completely irrelevant now. We've changed the legislation.

**Mr WINTER** - It's still operating today, minister, it's not irrelevant. They're still conducting race meetings. They are still overseeing race meetings. It's not irrelevant. It's happening. Nothing's changed.

**Ms HOWLETT** - We have made the biggest legislative reforms in decades towards the Tasmanian racing industry.

**Dr WOODRUFF** - And they're not in place.

**Ms HOWLETT** - We are doing everything possibly that we can to make sure they are in place as soon as practicable.

**Mr WINTER** - Unless it disadvantages the Yoles.

**CHAIR** - Mr Winter, let the minister answer.

**Ms HOWLETT** - I confirm we are recruiting for the commissioner. We are interviewing next week. We have identified three people and as soon as we can appoint someone we certainly will and make these significant reforms.

**Mr WINTER** - The question was, do you have confidence in the Office of Racing Integrity?

**CHAIR** - Mr Winter, I will give the call to Dr Woodruff. We'll get back around to you, Mr Winter.

**Dr WOODRUFF** - Minister, currently the Greyhound Local Rules of Racing have it that the Director of Racing, the head of the integrity body ORI, signs off on killing dogs, so-called euthanising. The Greyhound Adoption Program or the head of Tasracing has to apply to ORI to have a greyhound killed. That is the current situation. The new act, which you've talked about a number of times, has, as I understand, responsibility for this decision moving to Tasracing. Can you clarify if that's the case?

**Ms WILSON** - TasRIC will set the animal welfare standards, which can go to matters, and would go to matters, such as euthanasia. We don't have the system in place, but there will be an integrity unit and a chief racing integrity officer, and there will be appropriate controls in place around the matter you've raised.

**Dr WOODRUFF** - Our concern is that, fundamentally, this moves it from a separate integrity body into a regulation within the Tasracing body, which is the racing industry body. We are concerned that it puts the extra pressure to fast-track the killing of dogs because we know from leaked documents from the Greyhound Adoption Program that Tasracing has been in a process of reassessing their so-called throughput policy which includes the possibility of killing more dogs. This was something from March 2023.

Under the new act, Tasracing will now have the power to kill dogs. We know that there is great pressure for them to do this because the list for greyhounds to access the GAP is so long. When trainers can't get their dogs into GAP because of the long waiting list, they're responsible for keeping that animal, protecting it and feeding it. Minister, we are deeply concerned that this will add more pressure from an industry-run body to fast-track the killing of dogs instead of rehoming them because we simply have so many greyhounds.

**CHAIR** - Noting it was the Greens who were originally asking me to pull the minister up on answer times, that was a minute-and-a-half question. I haven't actually heard a question yet.

**Dr WOODRUFF** - The question is: can you see the concern that this is going to have with the pressure to kill more dogs?

**Ms HOWLETT** - When it comes to processes for and influences on any rules of racing, the bill provides for the commissioner's oversight and influence. The commissioner will review, endorse or refuse to endorse an annual integrity and animal welfare plan, including budgets, from Tasracing. I note that a lot of your questions were in relation to the GAP facility and Tasracing, and we'll have that opportunity in GBE scrutiny in December. A DA has been submitted to Southern Midlands Council to increase the greyhound adoption facility to allow for more greyhounds to be adopted through that facility.

**Dr WOODRUFF** - Reading from the GAP Throughput Working Group in March 2023, Tasracing said it recognised the importance of GAP operating 'effectively and achieving a desired volume of adoptions consistently', and that there is 'a strong feeling of frustration from greyhound participants towards GAP'. Then they went on to say that:

GAP will adjust to function in alignment with the following key principles.  
One of them is difficult end-of-life decisions will need to be made. It is recognised a small number of greyhounds will not be suitable for rehoming via GAP and in some cases euthanasia will be an appropriate step.

We now have Tasracing responsible for making this decision instead of the Office of Racing Integrity, the killing of greyhounds. Don't you agree that this increases the risk from industry pressure for more dogs to be killed?

**Ms HOWLETT** - As I explained to Dr Woodruff earlier, that is a matter for the scrutiny of Tasracing in December.

**Dr WOODRUFF** - You are the minister.

**Ms HOWLETT** - We have a very strong focus on animal welfare and we're investing more money on animal welfare than ever before. As I mentioned, there is a DA currently at the

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Southern Midlands Council to increase the GAP facilities there. Would you like to add any more?

**Dr WOODRUFF** - I'll ask a follow-up question to you, minister. You're the one who set up the legislation, so this is not about kicking it off to Tasracing to answer. You've set up the legislation that moves that decision for when dogs are euthanased from ORI, the separate integrity body, into an industry body, Tasracing, to make that decision. That increases the risk of greyhounds being killed because of the huge pressure from the industry itself for this to happen for more dogs to move through fast. Don't you agree?

**CHAIR** - It's the last and then we'll go to Ms Johnston.

**Ms HOWLETT** - Would you like to speak about the Chief Veterinary Officer?

**Dr WOODRUFF** - It's to you, minister; I'm interested in your views about this.

**Ms HOWLETT** - I will defer that question to the deputy secretary to talk about the Chief Racing Veterinary Officer, Dr Martin Lenz, who plays a vital role.

**Dr WOODRUFF** - It's not about that, minister.

**Ms HOWLETT** - It is about that, actually. He plays a vital role.

**Dr WOODRUFF** - It's about your legislation.

**Ms HOWLETT** - Also the Tasracing Integrity Unit as well as the appointment of the Tasracing Integrity Commissioner.

**Dr WOODRUFF** - All under the industry body, Tasracing.

**Ms HOWLETT** - That's not true. The Tasracing Integrity Commissioner is not under Tasracing.

**Dr WOODRUFF** - It's within it.

**Ms HOWLETT** - No, it's not within it.

**CHAIR** - Order.

**Ms WILSON** - Just so everyone's clear and I think most would remember from the debate, there's a Tasracing Integrity Commissioner, which is outside of Tasracing and within Tasracing is the Chief Racing Integrity Officer, the CRIO. On the legislation and the checks and balances that are put in place, as the minister has identified, there will be a requirement to develop an annual integrity and animal welfare plan, which is submitted to the TasRIC. There were some changes made to the bill based on the debate so that if there's an investigation, that would be tabled.

I consider the bill to be robust, but controls will be put in place. It would be the integrity in animal welfare plan. It's the audits that TasRIC can do. It's the investigations that the TasRIC

can also undertake and the reporting that is required. There's an annual report required from TasRIC.

I'd also add that we that there's still the role for the independent RSPCA in animal welfare matters and also for Biosecurity Tasmania if there needs to be an animal welfare investigation.

**Ms JOHNSTON** - Minister, it is my understanding that to attain a trainer's licence, whether it's initial application or renewal, there is a requirement that the person is a fit and proper person. Minister, do you consider Ben Yole a fit and proper person given that you have a deep understanding of the matters raised in the Murrihy Report and information that's been provided to you as minister? Is Ben Yole a fit and proper person, in your view?

**Ms HOWLETT** - I'm not going to make my personal opinions known on an investigation that is current and due to be handed down on 30 September.

**Ms JOHNSTON** - No, I'm not asking about the investigation.

**Ms HOWLETT** - I'm not going to jeopardise that. Licensing and registration of animals and participants is a key tool to supporting racing integrity. It ensures all animals can be traced and their identity determined. Licensing of personnel ensures that they can be held to account for their actions against the rules of racing and associated legislation.

The director of racing, supported by a licensing and registration officer, has a statutory responsibility to make determinations regarding registrations for racing animals and licences for people to conduct activities under the rules of racing.

Under the Racing Regulation and Integrity Bill, the Tasracing integrity unit, under the directions of the chief racing integrity officer, will be responsible for approving registrations and granting licences under the rules of racing.

**Ms JOHNSTON** - Minister, I did not ask what ORI considers but what you consider. I'm confident that most members of the community can make an assessment on what a fit and proper person is. You haven't given a view, but can you express a view whether you think, given all the information you know about Ben Yole, he is a fit and proper person. Would you consider him a fit and proper person?

**Ms HOWLETT** - There is an active investigation going on and I am not going to express my opinion. I do not want to jeopardise an investigation that is going to be complete and handed to me on 30 September.

**Ms JOHNSTON** - Minister, you're clearly not going to answer that question. Perhaps, you might answer this one. Do you consider that the actions of Ben Yole have brought the industry into disrepute?

**Ms HOWLETT** - There is no doubt that the industry has taken a hit over the last couple of years. There's absolutely no doubt at all. That's why we have put through the biggest legislative reforms in decades through both Houses of parliament and we are recruiting for our Tasracing integrity commissioner position. It's my job as minister to rebuild trust and faith, and integrity in the industry. That's what I'm here to do and that's what I will do.

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**Ms JOHNSTON** - Minister, I don't want to put words into your mouth, but it sounds to me as if you've just answered, yes; you believe that the actions of Ben Yole have brought the industry into disrepute. These are the actions around the Murrihy investigation into race fixing and animal welfare concerns. Does that not indicate to you that he has brought the industry into disrepute from those actions and that he is not a fit and proper person to hold a trainer's licence?

**Ms HOWLETT** - I am not commenting on any names or individuals. I'm not going to do anything to jeopardise this independent stewards' report.

**Ms JOHNSTON** - I'm not asking you to jeopardise the report. I'm asking for your view on the fit and proper person test for the issuing or renewal of a licence. If you can't answer it because you're saying it's an investigation, will you commit to immediately releasing the independent stewards' report when you receive it on 30 September? Or will you sit on it like your predecessor did for some months on the Murrihy report?

**Ms HOWLETT** - I will receive that report on 30 September. I believe that's a Friday. We will have time to consider the report over the weekend and I would imagine we would release it as soon as practicable.

**Ms JOHNSTON** - Have you seen a draft?

**Ms JOHNSTON** - No, I haven't seen a draft, absolutely not.

**Mr FAIRS** - Animal welfare has been well and truly discussed today. We are improving it, and I know we are moving in the right direction, which is which is good. Can you provide an update on how the government has committed to improving animal welfare outcomes by regular inspections of where the animals are homed in stables and kennels throughout Tasmania?

**Ms HOWLETT** - The Tasmanian government is committed to improving animal welfare outcomes in the racing industry across all three codes. Kennel and stable inspections are a key tool in ensuring animal welfare and training facilities meet contemporary standards and that these facilities are compliant with the rules of racing. The Office of Racing Integrity conduct risk-based and targeted inspections of licensed racing premises, ensuring racing animals are properly cared for and licensed participants are complying with animal welfare legislation and the rules of racing.

In the 2023-24 financial year, stewards from ORI conducted 437 inspections of licenced training facilities, compared to 392 in the 2022-23 financial year. Under the Racing Regulation and Integrity Bill 2024, inspections will continue under the new integrity model.

ORI uses an electronic data management system called Comtrac to schedule and record inspections of racing facilities using a risk-based procedure. While the aim is to undertake most inspections as unannounced visits, this is not always possible for practical or several reasons. These reasons include to better manage the workplace safety or personnel attending an inspection and to avoid repeatedly travelling a long distance to a low-risk participant who is infrequently or irregularly at the licenced facilities.

ORI stewards have the authority under the rules of racing to enter at any time any property under the control of a licenced person. Several stewards are also appointed as

authorised officers under the *Animal Welfare Act 1993* and stewards have the power to inspect and search premises, examine any horse or greyhound on the property and seize anything considered necessary.

All new trainer licence applications must have satisfactory inspection of their training facility conducted by the stewards before being granted a licence. Inspections of training facility include a review of registered animals present, focusing on animal welfare, treatment areas and treatment log books, stables, yards, kennels and runs for animal safety and suitability for purpose, fencing, feed rooms, water articulation and air circulation, general facility cleanliness and suitability for purpose. When needed, ORI works collaboratively with local government authorities, Biosecurity Tasmania and the RSPCA in ensuring that the regulatory regime is stringent and relevant. Intelligence is also shared.

**CHAIR** - Before I go to Mr Winter, there was some talk before we kicked off about taking a very short comfort break, noting that any time will be need to be made-up, two to three minutes so people can grab a drink and go to the bathroom. A very short break. If everybody's okay with that, I'll stop the broadcast and just ask people to be back as soon as they're as soon as they're able to. Stop the broadcast.

**The Committee suspended from 12.27 p.m to 12.32 p.m.**

**Mr WINTER** - Minister, the Murrihy review reports on five specific races that needed to be investigated; three were from ABC reporting and two others selected from a bunch of races that were referred to from almost 50 representations. All five of those races were chaired by Roger Brown, one of the stewards. As part of that, Ken Rattray spoke to the ABC and he said - and this is in relation to Reds Good To Go:

A nag that hadn't won a race in almost a year finished at least 50 metres in front, blitzing the Burnie field at a race mile less than a half a second shy of the track record. Once it got out the driver couldn't stop the horse even if she tried. This horse doesn't do that. The horse was backed into \$7.50 from \$21.25 minutes before the race. Remarkably, someone backed it quite heavily.

Then if I go to the findings by Mr Murrihy, he says on page 42 of the inquiry:

The review found that the performance of Reds Good To Go clearly met the bar of a form reversal that should have been investigated by stewards.

And he goes on to say:

The explanation of the stewards as to why they did not contemplate more rigorous sampling measures is not found to be plausible by this investigation.

Meaning, Mr Murray didn't find it plausible that the Chief Steward would choose not to do that.

Given that Mr Brown was the Chief Steward on all five of those races, three of which had findings made against them by Mr Murrihy, has any investigation or any action been taken against Mr Brown in relation to that finding?

**Ms HOWLETT** - Thank you, Chair, and I thank the Leader of the Opposition for his question. We've implemented all the recommendations from the Murrihy report, and as I said, I'm very much looking forward to the independent steward's report on 30 September.

**Mr WINTER** - I have an independent steward's report in front of me which is from -

**Ms HOWLETT** - I'll ask the deputy secretary to provide further advice.

**Ms WILSON** - Through you, minister. The stewards are appointed by the secretary under the act. Any issues relating to the steward's code of conduct would be a matter for the secretary and it's not a matter for the minister.

**Mr WINTER** - That's why we're here, of course. It's to inquire into the way that racing's been being regulated through the budget papers.

It's quite serious. The findings say that the explanation of the stewards as to why they didn't contemplate more rigorous sampling measures is not found to be plausible, meaning that Mr Murrihy didn't believe Mr Brown's explanation as to why he didn't sample a horse which had performed incredibly well - nearly broken the track record, having not won a race for a considerable amount of time. My direct question, through you, minister, perhaps to the deputy secretary is, what was ORI or NRE Tasmania's response to that finding? What have been training actions, reporting being taken given that finding by Mr Murrihy?

**Ms HOWLETT** - I'll ask the deputy secretary to seek some information on that.

**Ms WILSON** - Through you, minister, I would need to take some advice on that, but what I would say is it would not be appropriate for me to comment on any specific employment matters. The department would, however, ensure that any matters that required consideration in terms of the steward's code of conduct would be appropriately actioned.

**Mr WINTER** - Have there been any referrals to police or any other integrity bodies arising from the Murrihy review?

**Ms HOWLETT** - I'll seek advice from the deputy secretary on that question.

**Mr WINTER** - Just to repeat the question: have there been any referrals arising from the Murrihy review in terms of police referrals, integrity bodies anywhere, anything else apart from the independent stewards panel?

**Ms WILSON** - Through you minister, I will take some advice on that. We didn't refer matters to the RSPCA. The animal welfare matters were referred to the RSPCA. They were also considered by the by the Biosecurity Tasmania and we have the independent stewards panel that are considering all relevant matters from the Murrihy inquiry that needed to be further investigated.

**Mr WINTER** - In this case, there are clear findings here in particular to this one that are not actually so much about the performance of trainers or drivers. This is actually a finding about the stewarding in Tasmania and particular the chief steward in this case, which was Roger Brown, who was also the chief steward on four of the other races that were investigated,

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two of them which had findings made against them. Why hasn't there been training offered or police referrals or anything out of this in relation to the performance of the Office of Racing Integrity?

**Ms HOWLETT** - Would you like me to read through the recommendations?

**Mr WINTER** - I definitely don't want the recommendations read into *Hansard*.

**Ms WILSON** - Through you, minister. The interim report of the very highly credentialed independent stewards panel -

**Mr WINTER** - Mr Murrihy was highly credentialed too, but you just ignored that report.

**Ms WILSON** - As a result of the review conducted by the independent stewards panel, there was a range of recommendations in terms of develop of training program, templates and examples and stewards report summarising trainers, drivers and explanations, and the purpose of that was to ensure that there was adequate information available for those to understand the decisions of stewards. I'd also point out that the Murrihy inquiry had a range of recommendations which the government is implementing in terms of ORI complaint management system and resourcing and training of steward-

**Mr WINTER** - Has there been any referral -

**CHAIR** - Last one, and then Dr Woodruff.

**Mr WINTER** - Thank you. I appreciate that, Chair. Has there been any referral or any investigation undertaken into ORI in relation to betting records, relationships with trainers or drivers? Has anything like that occurred?

**Ms WILSON** - The Murrihy report outlines the steps that Mr Murrihy took in his independent review, which was comprehensive. All relevant findings regarding staff were reviewed by an independent. As I said, it's not appropriate for me to comment on any specific employment matters.

**Mr WINTER** - That's my point, because he's actually found the explanation of stewards as to why -

**CHAIR** - Order.

**Dr WOODRUFF** - Thanks to the Greens greyhound inquiry in 2015, it is now a requirement that greyhounds exiting the greyhound racing industry must be rehomed and the Greyhound Adoption Program is tasked with this work. Can you tell me whether Tasracing will be conducting inspections of GAP under the new legislation?

**Ms WILSON** - The integrity unit and the current chief vet in Tasracing would be able to ensure that there was appropriate oversight of the GAP facility, but, as noted, there's also the new TasRIC, who would have independent investigation powers, will be setting animal welfare and integrity standards. They will be supported by an animal welfare and integrity committee, which has RSPCA on it, and we've also got the capacity for independent investigation by RSPCA Tasmania and by Biosecurity Tasmania.



**Dr WOODRUFF** - Thank you, deputy secretary. My question is: will there be regular inspections of GAP by Tasracing? Not 'these other bodies are just advisory bodies' or 'there might be inspections'. Will there be regular mandated inspections of GAP?

**Ms WILSON** - The bill provides for the setting of standards by the commissioner. If the commissioner determines that there's a requirement for a standard relating to inspections of not only racing participants but other facilities that were within their scope of power, then that's a possibility. So, I think that provides an adequate oversight - the model for.

**Dr WOODRUFF** - The Greens are on the record for being concerned with that, because it is within an industry body that is - Dr Lenz, who you mentioned before, was the person who wrote the GAP throughput working group, recommended the update in 2023, was the person who has proposed an increase in cases of euthanasia as an appropriate step in response to the frustration, as that document says, of greyhound participants towards GAP; the very vast numbers of greyhounds that are not able to be rehomed in a timely fashion, compared to the numbers that are coming out of the industry.

So, there is a concern, minister, that this is not the body that's going to be able to do the inspections that need to be done, and it is within the industry, closer to the industry than it currently is. Aren't you concerned about the impacts on those greyhounds? The situation is already terrible, and you're moving it to worse.

**Ms HOWLETT** - Thank you, Dr Woodruff. The deputy secretary has some more information that she would like to add.

**Dr WOODRUFF** - Sorry, maybe I'll provide more context. Under the rehoming of notice requirements in the local greyhound rules of racing, at the moment all power to sign greyhound death warrant sits, at the moment, with the director of racing. When will the local rules be changed? Can you confirm who will replace the director in making that decision?

**Ms WILSON** - The model sets up roles for particular parties. At this stage, the model is there. Through implementation, there'll be determination about where some activities sit. But, what the bill does do - sorry, the act once it's in place - is set up a robust framework, because of the role of the Tasmanian Racing Integrity Commissioner, because that is a new role and it has new powers to set animal welfare and integrity standards, and, as I've said - as I might repeat what I've said before - but all those other things that sit around that, in terms of the framework.

**Dr WOODRUFF** - Thank you, and through you, minister, too, she didn't answer that question. So, when will local rules be changed? When will the local rules of racing be changed? And, who will replace the director in the current role of the rehoming of notice requirements, the signing off of the power to sign greyhound death warrants? At the moment, it's with the director of racing. When will you confirm this change, and when are the local rules going to be changed?

**Ms WILSON** - As part of implementation of the act, there needs to be a process of reviewing the rules. At the moment - and this will stay the same - the rules of racing are solely a matter for Tasracing. That review will then determine some of the roles that sit under the

rules. But, it needs to take into account the new model. So, that's how that will work. We'll undertake a review.

**Dr WOODRUFF** - Until then, what will happen? When the new law changes, what will happen to the situation about who? Like you said, this process has to happen, blah blah. What will happen once this law gets royal assent in that space before all that work is done? Will everything remain as it is, in terms of those decisions?

**Ms WILSON** - Through you, minister: the chief racing integrity officer would replace the Director of Racing in most instances, I would assume, in the rules of racing, but that process has not been undertaken, as I indicated. If the decision-maker sits in the Tasracing Integrity Unit, there is oversight from the Tasracing Integrity Commissioner which provides an extra framework and a series of protections under the new regime.

**Mrs PENTLAND** - Thank you. In the break, I did ask if it was possible to get the breakdown of the positive swabs of those numbers that you shared with us before. I don't know if you're able to provide that or not.

**Ms HOWLETT** - We will just confirm. Are you asking for them to be tabled?

**Mrs PENTLAND** - If it's possible, or if you could just read them out.

**Ms HOWLETT** - Does the member mind if I seek to table that? We're just confirming figures.

**Mrs PENTLAND** - That's fine. Minister, what would it take for Tasmania to attract a Group 1, a lucrative gallops race? Are we at risk of being left behind by other states because we don't have a marquee event in Tasmania?

**Ms HOWLETT** - We have an incredibly good summer carnival of racing coming up very soon. Group 1 race meets are a matter for Tasracing, as they schedule the meets. You'll certainly have the opportunity to talk to Tasracing about the possibility of Group 1 meets when they're in front of you in scrutiny in December.

**Mrs PENTLAND** - Are you having those conversations with Tasracing in December?

**Ms HOWLETT** - It is a matter for Racing Australia as well as Tasracing. We've got harness, the Hobart Thousand is a Group 1 race, and also the Tasmanian Cup in harness - not in thoroughbreds, but we do have one in greyhounds.

**Mrs PENTLAND** - I specifically asked about the thoroughbred race. Will that ever be -

**Ms HOWLETT** - Anything's possible and I'm certainly happy to have discussions with Tasracing and Racing Australia in relation to a Group 1 thoroughbred race.

**Mr FAIRS** - Minister, the breeding sector obviously is vitally important to our industry, we all know that. What is the government doing to help this. Can you give us some more information, please?

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**Ms HOWLETT** - I thank the member for his question. I'd like to take this opportunity to thank the Tasmanian breeders organisation for the work and the advocacy they do to promote this vital part of our industry, both within the state and also to a national audience. A healthy racing industry requires a strong and vibrant breeding industry. The Tasmanian breeding industry supports job creation and also economic activity, particularly in regional Tasmania. The Government is providing additional support to the thoroughbred and harness breeding sectors, with \$350,000 allocated in the Budget: \$300,000 to the Thoroughbred Incentive Scheme and \$50,000 to harness breeding incentives. I'm proud that this money has been included in the Budget to continue to support the TasBred Incentive Scheme and to reward those participants who invest their hard-earned money on Tasmanian bloodstock.

In May I was pleased to meet with leading figures in the thoroughbred breeding sector including Bart McCulloch of Grenville Stud and Dave Wishaw of Armidale Stud. We discussed how we can move forward the very successful TasBred Incentive Scheme. The success of this scheme is something I'm very proud of from my first period as Minister for Racing, and the 2030 Strong Plan for Tasmania's Future supports breeding as a vital sector of the industry and backs in our breeders, who are the lifeblood of the industry. I welcome you to attend the Magic Million sales coming up in February next year. It's a great day.

**Mr WINTER** - Has Roger Brown chaired any recent harness meetings?

**Ms HOWLETT** - I'm unsure of the answer to that and I'll have to ask the department.

**Mr WINTER** - Do you think it's appropriate that he continue to steward, given the findings in the Murrihy review? I will refer that question to the deputy secretary.

**Ms WILSON** - I am not aware of his current activities, in terms of the first part of your question. The second part is that there is -

**Mr WINTER** - On that, the director of racing is usually sitting at the table. Is there a reason why that's not occurring?

**Ms HOWLETT** - I'm happy for the director of racing to come to the table.

**Mr WINTER** - That question will be well answered by the director, I'm sure.

**Ms HOWLETT** - I'm very happy to ask Robin Thompson to come to the table. When you get to the table, you might state your name and your title.

**Mr THOMPSON** - Robin Thompson, Director of Racing.

**Mr WINTER** - I will repeat the question. Has Roger Brown chaired any recent harness meetings, and does the Office of Racing Integrity see it as appropriate to continue to chair or conduct harness meetings, given the findings in the Murrihy review?

**Mr THOMPSON** - No, Mr Brown hasn't been chairing recent harness meetings given that recent meeting in the last six months or so. The second part of your question?

**Mr WINTER** - Is that in response to the findings within the Murrihy review?

**Mr THOMPSON** - No, it's not in response to any specific findings made against Mr Brown, and it's inappropriate, really, to discuss any issues associated with Mr Brown as a steward.

**Mr WINTER** - I'll ask it more broadly, then. Have there been any actions taken against any stewards in relation to the findings of the Murrihy review?

**Mr THOMPSON** - The findings in the Murrihy review currently being investigated and done by an independent stewards panel would include any issues that may or may not be associated with the actions of stewards. That is still being undertaken by the independent panel, who will report very soon.

**Mr WINTER** - Does the Office of Racing Integrity consider Mr Murrihy's findings in relation to race fixing, team driving and animal welfare abuse to be findings? If that is the case, how is it that the Office of Racing Integrity continues to licence individuals who've been found to conduct this sort of behaviour?

**Ms HOWLETT** - Can I ask Mr Winter to address his question through to me.

**Mr WINTER** - Through the minister, of course.

**Mr THOMPSON** - The Murrihy Review identified a number of issues that I appointed an independent panel of stewards to investigate, and that's what they're doing and that's what they are reporting upon. We'd find that the independent panel of stewards is probably the most experienced panel of stewards operating locally, and certainly nationally. Collectively they have around 90 years' experience in race stewarding and sports law. I believe they are well credentialed to undertake those investigations and report upon them. They are progressing through that process and will report shortly.

**Mr WINTER** - Mr Murrihy, is one of the most respected and experienced stewards in Australia, and his findings are found within a final report that was produced and given to the government nearly a year ago. Why are his findings not enough to lay charges in the first place? Why do we need to have an independent review of an independent review?

**Mr THOMPSON** - I appointed the independent panel of stewards, as you are aware, under the Australian Harness Racing Rule 181 in February this year. That appointment is a direct response to the Murrihy report. I'd like to quote some of the findings that are listed by Mr Murrihy. He says, and I quote:

It's important that if charges are to be laid they are heard and determined in a separate forum to this more general and wide-ranging inquiry.

I note that Mr Murrihy was a panel of one steward. Under the Australian Harness Racing Rules a panel of at least two stewards are necessary in order to hear and investigate a matter related to harness racing. I go on with the quote from Mr Murrihy. He says that:

Where this investigation expresses its determination of noncompliance with the Australian Harness Racing rules it does so on the evidence which it has before it. It does not make positive findings on formal charges, rather it makes determinations of noncompliance with the Australian Harness Racing

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Rules, based on the evidence before it and the enquiries it has made, noting it has afforded those who have faced allegations of noncompliance an opportunity to answer these allegations.

These findings are not to be interpreted as positive findings which a stewards' panel would make upon the determination of a formal charge and to which penalties and consequences would attach.

And that's exactly what the independent panel of stewards is undertaking at the moment.

**Mr WINTER** - Through you, minister, the question was actually about charges. Why do we need to go through another process to make charges? Also, did the director of racing sign off on Ben Yole being a fit and proper person? Did he approve the trainer's licence he has for this year?

**Ms HOWLETT** - To you.

**Mr THOMPSON** - Minister, yes, I did sign off on Mr Yole being awarded a harness racing trainer licence this year.

**CHAIR** - Last question.

**Mr WINTER** - Thank you, I do appreciate it. I appreciate the patience of my colleagues here and I'll be the same.

How did you decide that Mr Yole was a fit and proper person, given that he had admitted to injecting horses whilst he wasn't a vet in contravention of the law; that he admitted to parts of the allegations in the wash bay where he was abusing horses and where there is evidence from drivers that he organised for races to be fixed? Given all that evidence, how is it the Office of Racing Integrity has determined that he is a fit and proper person to participate in this industry?

**Ms HOWLETT** - I thank the member for his question. I'll hand over to the director of racing.

**Mr THOMPSON** - The Office of Racing Integrity operates a system to ensure that there is due process and procedural fairness and that's what we do with every application that's received for licencing or whatever else it may be and Mr Yole's application is no exception. As I said before, Mr Murrihy noted a number of issues, but these issues are being investigated by an independent panel of stewards and I have no power to direct that independent panel of stewards to do anything. At the moment there is no reason why Mr Yole isn't -

**Mr WINTER** - Through the minister, he admitted to breaking the law. He admitted to breaking the racing regulations. How on earth is he possibly participating in this industry? How can you be so naive to this, through you, minister?

**Ms HOWLETT** - Thank you, Leader of the Opposition.

**Ms WILSON** - Might I add, because the director is independent, it is important to note that the legal basis for the quashing of the warning-off notice, which was considered by the

Tasmanian Racing Appeal Board, covers many of the grounds why the warning-off notice was not upheld. At the moment, we have a stewards' panel under 181 and the independent stewards' panel in its interim report indicated that at this stage they saw no grounds to suspend Mr Yole, but if charges were to be laid, they'd consider that matter at that time.

**Dr WOODRUFF** - Minister, I want to understand what happens when the new legislation comes into place with the Tasmanian Greyhound Local Rules of Racing. When there's no longer a Director of Racing in the Office of Racing and Integrity, will there no longer be a requirement to rehome greyhounds in the way that it is currently set out in the Local Rules of Racing?

**Ms HOWLETT** - I thank Dr Woodruff for her question. There absolutely will be a rehoming policy through the new structure. I'll hand you over to the deputy secretary to add more information to that.

**Dr WOODRUFF** - To be clear, I'm talking about the space between when the legislation gets royal assent and when the final system is established, what will happen to the local rules of racing as they stand on rehoming? Will it be an independent person who decides the fate of greyhounds?

**Ms WILSON** - Through the minister, we need to have in place the statutory office holders before the act is in place. The act will receive royal assent but it's it will come into play upon proclamation. We have a transition team who are working through all the aspects of the transition, including matters such as the regulations, the rules of racing. The aim is that it flips on the day it's turned on into the new regime. That is the plan.

**Dr WOODRUFF** - On that day when it receives proclamation, ORI ceases to exist and the stewards move across to Tasracing and you're saying that there will be absolutely no gap at all in the period until proclamation after royal assent there will be the same situation in place in terms of ORI remaining and being responsible for decisions about ending the lives of greyhounds that are surplus to the industry and that there is great pressure for them to be euthanised more quickly.

**Ms HOWLETT** - Thank you, Dr Woodruff, for your important question. There will be a transitional phase-in process. I'd like to hand over to Anita Yan and also thank her for her incredible work that she's been doing in relation to this. I'll ask her to speak to your question.

**Ms YAN** - Through you, minister. Yes, we do have a transition project that's established that will consider all matters relating to the implementation of the new bill. That will include a number of matters including the appointments as the minister has mentioned before. Until those appointments are made, the operations and responsibility will remain with the Office of Racing Integrity.

**Dr WOODRUFF** - When will it flip over and what's your expected timeframe or the expected date, through you to Anita, and who will the new statutory officer be?

**Ms HOWLETT** - I wish I knew. Thank you, Dr Woodruff, for your question. I'll talk very briefly before I refer to Anita on that. As I mentioned, we are well underway in recruiting for the Tasmanian Racing Integrity Commissioner. I'm not involved, but I believe there are interviews being conducted next week and the following week. How long that will take to

implement? I would hope to have someone here by the beginning of November. I believe the three people who are being interviewed are interstate, so we would need to allow for relocation, et cetera, as well for those people. I'll hand you over to Anita to speak more to that.

**Ms YAN** - Through you, minister, the appointments will also be subject to notice periods. We are endeavouring to make those appointments as soon as possible in addition to the new commissioner will also have the appointments to the Racing Integrity Committee and we are going through an expression of interest process and interviews for that. Tasracing is also in the process of recruiting the chief racing integrity officer (the CRIO), and the department's also working with the Office of Parliamentary Counsel to remake and update the regulations. We're endeavouring to make those as soon as possible, but those appointments will be subject to the successful candidates' availability.

**Dr WOODRUFF** - You think November, but that may not actually happen in November. Confirmation may need to be later than that because a person will need to be in place. That's what you're waiting for?

**Ms HOWLETT** - What is today - 25 September? So, Anita, if interviews are next week or the week after, when would you have thought?

**Dr WOODRUFF** - Maybe next year.

**Ms HOWLETT** - I would certainly hope not.

**Dr WOODRUFF** - It would depend on when a person is available to take up that position.

**CHAIR** - Last question.

**Ms HOWLETT** - I certainly hope not next year, Dr Woodruff. That's not my target. I'll hand over to Anita to speak a little bit more to that question, because it is a very important question.

**Ms YAN** - Yes, we are working to have those appointments in place as soon as we can, but there is a process that has to be followed.

**CHAIR** - Before I go to Ms Johnston, can I ask people at the table when we're moving around, for the benefit of the hard-working Hansard team, if people could be mindful of their microphones.

**Ms JOHNSTON** - Thank you, Chair. Through you, minister, to the director of racing: in your view, director, what matters or issues should or would preclude a person from obtaining or renewing a trainer's licence under an assessment of a fit and proper person?

**Ms HOWLETT** - I thank Ms Johnston for her question. I believe that relates to a fit and proper person, and I'll -

**Ms JOHNSTON** - What's the test for it?

**Ms HOWLETT** - I will refer to the director of racing to answer your question.

**Mr THOMPSON** - Under section 6(2)(f) of the *Racing Regulation Act*, I as director am empowered to issue various classes of licences. Under this act, there's no explicit legislative requirement or definition that a person be a fit and proper person to have a licence granted.

However, the rules of racing do or do also apply. For greyhounds the rules of racing are very explicit in that they explicitly provide for the controlling body, in this case the Office Racing Integrity, to consider whether a person is fit and proper to hold a registration under the rules of racing. For harness and two thoroughbred codes, the controlling body can refuse or grant a licence without assigning any reason.

So the fit and proper person test, in my opinion, is a multi-factorial and multi-dimensional test. It looks at things including - this is what I look at:

- the physical and mental health of the applicant.
- the respect of the applicants for compliance with our rules of society and also the respect of the applicant for compliance with the rules of racing.
- living according to the principles of honesty, ethics and and morals where we generally expect in the community.
- financial sufficiency to meet the requirements of a licensed person, because that brings with it the responsibility to provide feed, veterinary expenses et cetera for a racing animal.
- and actions and history sometimes that the person has undertaken that will not bring the racing industry into disrepute. So, it's social licence and it's generally gained through a police inspection, a national police check.

Those criteria have been what I've been using as director of racing, and it's what was recently used and tested through the Tasmania Racing Appeal Board and found to be appropriate not only by the board but also by the appellant.

**Ms JOHNSTON** - Thank you, director. That seems to be a very extensive list of matters to be considered or factors to take into consideration. You listed there rules of society, so I assume that means laws of Tasmania?

**Ms HOWLETT** - Can you just repeat that?

**Ms JOHNSTON** - The director listed in one of those factors rules of society. I'm assuming that means laws of Tasmania, rules of racing, which obviously are set rules relating to ethics and conduct and also actions in history in terms of whether the industry is brought into disrepute. Director, can you explain, then, why individuals such as Anthony Bullock and Ben Yole, who fail at every one of those particular tests, have continued to receive trainer's licences and have their trainer's licence renewed?

Mr Yole doesn't have a workers' compensation policy holding. He's clearly breached the rules of racing on a number of occasions. Ben Yole, likewise, has breached the *Dog Control Act* on numerous occasions by failing to have kennel licences. He's breached planning permits numerous times and continues to breach planning permits. Why have they been issued renewals



of their trainer's licence when they clearly are bringing the industry into disrepute by their actions and also breaching rules of law?

**Ms HOWLETT** - I thank the member for her question. I will ask the director of racing to respond to Ms Johnson's questions.

**Mr THOMPSON** - Regarding the insurance issue with workers' compensation, I have advice which says that workers compensation insurance is not a licensing matter.

**Dr WOODRUFF** - It's a rule of law though.

**Mr THOMPSON** - It's a rule of law and this means, from my advice, that holding a workers' compensation insurance is not a prerequisite to applying for a licence or in fact being granted a licence. This matter of workers' compensation insurance is still before the courts. I don't believe that the responsibility is with WorkSafe Tasmania to prosecute any cases according to this, and, at the moment, that process hasn't finished.

I note that Australian Harness Racing rule 90(6) provides an applicant for a licence or an existing licence holder shall if found guilty of a crime or offence which is punishable by a term of imprisonment, immediately notify the controlling body or stewards of that finding of guilt. As director, I'm monitoring the court case that is currently being undertaken in respect to workers' compensation insurance, and we'll make a determination on the outcome of that court case.

**Ms JOHNSTON** - Can I just clarify, then, when you talk about rules of law as being a factor, you don't consider all laws in Tasmania to be relevant? It's only ones relating to racing. So, criminal matters, matters around workers' compensation, planning permits, all those kinds of things, are they rules of law that ought to be taken into consideration when you're determining whether the person's fit and proper?

**Mr THOMPSON** - Certainly, we do a national police check and we get many and varied responses. You have to look at the time and the date of those offences that may or may not have occurred. One does the crime and one does the time, so to speak.

**Ms JOHNSTON** - Those relating to dog control, for instance. With Mr Bullock, he failed to have a kennel licence for a number of years despite it's an obvious requirement to have. That would be a breach of the law. Why was he still issued a licence renewal?

**Mr THOMPSON** - Having a kennel licence is an issue for local government and I believe that he didn't refuse to have such a licence. I believe he now has a current licence with the West Tamar Council for a kennel that allows him to keep 91 greyhounds and four other dogs of other breeds at his premises at 2616 West Tamar Highway.

**Ms HOWLETT** - Can I add to that, the member mentioned WorkSafe. I would like to state that, in May 2024, WorkSafe Tasmania commenced a workers' compensation work health and safety compliance program across all three racing codes.

This program aimed to audit compliance with the *Workers Rehabilitation and Compensation Act 1989* and the *Work and Health Safety Act 2012*. As of 12 August 2024, 48 compliance inspections have been completed with no contraventions identified under either

of the above legislation, and the inspections of the Greyhound Code identified most operators are hobbyist and not employers.

Fatigue was certainly identified as a significant risk for many workplaces in the racing industry. Whilst no notices have been issued in relation to fatigue management to date, inspectors are looking closely at what systems employers in the industry have in place to manage fatigue and the compliance program is ongoing, with an anticipated completion date at the end of October 2024. That that was a really important question.

**Mr FAIRS** - As we know, cadet stewards is the way moving forward for the industry. It's of paramount importance obviously, just like in other businesses and industries, workforce development and training is a challenge, you know that. Can you provide the committee with any update as to how this Budget is helping to support developing more of these key workers because as I said, it's paramount moving forward.

**Ms HOWLETT** - It certainly is, Chair, and I thank the member for his question and recognise his interest in workforce training and the renewal for stewards and integrity staff, and how the 2030 Strong Plan for Tasmania's Future can support improvements in stewarding for the industry.

The government is a strong supporter of the Tasmanian racing industry which makes a vital contribution to our economy and employment, particularly in regional Tasmania. The government continues to invest in workforce renewal, including our successful cadet stewardship program. The Budget is supporting workforce development and renewal with \$100,000 over two years to ensure that Tasmanian stewards have access to professional development and training. This investment allows participants in the community to be reassured that our stewards have the skills and knowledge required to maintain the rules and integrity of racing. Importantly, this supports a recommendation by Mr Murrihy in his final report that an adequately resourced and well-trained stewards panel is fundamental to the effective performance of the Tasracing Integrity Unit. Mr Murrihy also recommended opportunities to enhance training for stewards by utilising online delivery of established stewards training courses and short-term professional exchanges with stewards from mainland states, which this funding could support.

The Monteith Review also specifically proposed better formal training for stewards which is supported through this investment. We will continue to invest in workforce renewal including the successful cadet stewards program with funding of \$250,000 per year. The cadet steward's program is an essential strategy for ensuring we have skilled and capable stewards to support the racing industry in Tasmania into the future. Given the national shortage of stewards, our policy is to home-grow them with support from national colleagues who provide development opportunities such as attendance at interstate race meetings and mentoring.

The cadet stewards program ensures cadets are sufficiently experienced to be competitive and when permanent stewards positions become available at the Office of Racing Integrity or Tasracing, these cadet stewards will transition to Tasracing as part of the reform output of staff and resourcing. Cadet stewards always work with more senior stewards undertaking office duties, routine inspections and race-day duties focusing on one of the racing codes for a three-month period in order to consolidate learning and experience.

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The department currently has three cadet stewards. The roles are entry-level positions and are paid at a salary equivalent to the Tasmanian State Service Award band 1 with cadet employment across the Tasmanian State Service. With the extension of this funding commitment, recruitment for a further appointment is in its final stages and I look forward to welcoming the next cadet steward supported through our 2030 Strong Plan for Tasmania's Future.

**Mr WINTER** - Was former chief harness steward Steve Shinn investigated for tampering with swabs?

**Ms HOWLETT** - I thank the member for his question and I will ask the deputy secretary to respond to that question.

**Ms WILSON** - Through you, minister, it's not appropriate for me to comment on any specific employment matters. Mr Shinn is no longer employed with us and as I say, it's not appropriate to comment on any specific employment matters. What I can tell you at the highest level and at the principal level is that if matters are raised with the secretary around potential breaches of the Stewards Code of Conduct, appropriate action is taken and appropriate actions are then implemented. Our public servants and stewards have the right for any specific employment matters to be dealt with confidentially.

**Mr WINTER** - Can you confirm there is CCTV footage of a very senior steward tampering with swabs?

**Ms HOWLETT** - Chair, I'm not quite sure that Mr Winter's question is related to the Budget which we are here to scrutinise.

**Mr WINTER** - It is the operation to the Office of Racing Integrity. That's what this is. Every line of questioning has been about the operations of the Office of Racing Integrity, minister.

**Ms HOWLETT** - How is it related to the Budget, Mr Winter?

**Mr WINTER** - Because the Budget funds the Office of Racing Integrity and we're asking, that's what we've been doing all week.

**Ms HOWLETT** - I'll ask the deputy secretary to respond to your question.

**Ms WILSON** - I believe that I've answered that question. It's not appropriate to comment on any specific employment matters. If any matter is raised with the agency, then it is appropriately investigated and appropriate steps are taken. The secretary takes this responsibility very seriously and would adhere with all principles of natural justice. But as I've indicated, it's not appropriate for me to comment on any specific employment matters.

**Mr WINTER** - Every year I come to this table, to the racing estimates and it gets worse and worse. Minister, you've said during this that it's irrelevant because we're moving to a new model, well, the model that we're currently under, the Office of Racing Integrity, is failing the industry right now. We're seeing that through the inability to answer questions about the embarrassment that we've seen through the operations of this industry's regulator.

How can the industry possibly have confidence in the Office of Racing Integrity and in their own industry when you've got issues like tampering with swabs, when you've got a Director of Racing who is licencing people who've been found to have abused animals and who clearly don't hold workers compensation? How can the industry possibly have confidence in this industry that you're overseeing given the state of the Office of Racing Integrity?

**Ms HOWLETT** - Thank you, Chair, and I thank Mr Winter for his question. Look, I'll go back and I'll say it again, that's why we have delivered the biggest reforms in decades, Mr Winter, and I look forward to enacting that legislation as soon as possible and we are pursuing everything we can to fast-track that. As I said, that's why we have made significant reforms and changes, which I know will be extremely welcomed by everyone in the racing industry.

**Mr WINTER** - Let's move back to, and it'll be through you, of course, minister, but the Director of Racing may be able to help with this, it's about the licencing of Robbie Walters in his application. I'd like to understand how it could possibly be that Mr Walters applied for a trainer's licence and was granted one, despite having been found to have forged documents and having been found to have evaded and then found to have taken illicit substances before participating in racing? To go to that point about what's a fit and proper person, how is it possible that Mr Walters was able to be granted a licence? I know you intervened afterwards minister, and I wish you'd intervene a bit more to be honest, but how is it that snuck through, that he was able to be licenced in the way that he was?

**Ms HOWLETT** - Thank you, Chair, and I thank the member for his question. In relation to Mr Robbie Walters' application for a Trainer A licence in Tasmania and the race nominations of Mr Walters, I can again provide the following information. At a licence panel hearing conveyed on Monday, 17 June, Mr Walters application for a Trainer A licence in Tasmania was rejected. As a result, Mr Walters was immediately prohibited from training activities in Tasmania. For the avoidance of doubt it supersedes the previous recognition of his Victorian licence that I referred to in my previous advice to parliament. I'm further advised that Mr Walters will not be able to reapply for a Trainer A licence in in Tasmania for a period of six month commencing on 17 June.

Mr Walters was advised of his right of appeal and appealed the suspension and represented himself at an appeal in a hearing on 26 July. The appeal against a decision of the Director of Racing to refuse to grant a Tasmanian training licence was dismissed by the Tasmanian Racing Appeals Board (TRAB). The TRAB were not satisfied that Mr Walters was a fit and proper person to take on the significant responsibility of a trainer in Tasmania and should not therefore be granted a Trainer A licence. While I can't comment on the specifics of the decision, what I will say is that I firmly believe that in order to rebuild trust and restore faith, only fit and proper people should be involved in the racing industry.

**Mr WINTER** - Thank you minister, I appreciate that and you -

**CHAIR** - Last question.

**Mr WINTER** - Thank you Chair, again, for your excellent work. Minister, you intervened on this matter. My question is in relation to Ben Yole, his relicensing. If you were prepared to intervene on Mr Walters, why haven't you been prepared to intervene on Mr Yole,

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and has that got to do with those conversations that you had at Elwick in relation to offering him and his family support if they needed it?

**Ms HOWLETT** - Absolutely not, Mr Winter, and look, I'm not sure what conversations you're actually referring to, I have many conversations. I am not going to intervene in a process where there is an independent stewards' panel and we are so close -

**Mr WINTER** - It's not about the independent stewards' panel, it's about the licencing, which is decision made by the Director of Racing in the same way as he made one on Mr Walters.

**CHAIR** - Mr Winter, order.

**Ms HOWLETT** - so close to that report being finalised on 30 September. As of last week, there was still hearings being carried out by the independent stewards panel and I'm not going to say or do anything to jeopardise that independent stewards report that I know you are looking forward to, and certainly, I am.

**Mr WINTER** - But have you spoken with Mr Ben Yole or not?

**CHAIR** - Order. No, we will go to Dr Woodruff.

**Dr WOODRUFF** - Minister, the director's comments at the table just earlier in relation to the matter of a fit and proper person sounded like a licence might be considered to be given to a person who had a criminal record. I think that the words were 'if you have done the time, for the crime', as though that's something that's in the past. Do you think that that would also be case for someone who is charged convicted for crimes under the *Animal Welfare Act*?

**Ms HOWLETT** - Thank you, Chair, and I thank Dr Woodruff for her question. I'll ask the deputy secretary to make further comment on that.

**Ms WILSON** - The fit and proper test has a common law and a lot of case law and it does go to a range of factors. It does come down to the particular circumstances, but what I would say is that there is case law around the country around if some people have found guilty of serious animal welfare offences that racing bodies take that very seriously. There's precedent for that being taken very seriously in terms of decision making.

**Dr WOODRUFF** - You wouldn't think it should be an automatic disqualifier?

**Ms WILSON** - Through the minister, to make it automatic disqualification the Rules of Racing would need to make that the case. As I said, there is strong precedent and strong precedent in the racing industry in terms of actual decisions that if there are serious animal welfare matters and where there is a successful prosecution, but it's still under the fit and proper test and just legally, lawfully it will still come down to all of the relevant circumstances.

**Dr WOODRUFF** - Minister, there is a person called Nicholas Howlett who attained a licence in February 2023 and he was suspended in November 2023 for presenting Blackpool Poppy with cocaine metabolites in that dog's system. He returned in June 2024 with a licence and has since been suspended for two months for failing to provide appropriate vet care for

Blackpool Trip, who subsequently had his tail amputated recently. Is that person any relation to you?

**Ms HOWLETT** - Yeah. Look, I will certainly put on record that I found out recently - as many things are hidden from you when you're a child - that my father's parents, my grandmother, was married previously and had a son and my father's father adopted that child. They then had a child called Peter Howlett, who I believe, is the grandchild of Peter Howlett.

**Dr WOODRUFF** - Not a person in your close family circle is what you're trying to say?

**Ms HOWLETT** - No, no.

**Dr WOODRUFF** - Thank you, minister.

Minister, the report that I provided you this morning - the great work of Animal Liberation Tasmania, the 19 reviews of properties and the evidence of the 748 dogs who have raced this year - contains the story of Zipping Princess. On 10 September 2023, she was offered, for free, by the Williams and McCrickard syndicate owners on Gumtree. She was in a terrible state, in a very, very unwell - was totally distressed - and she was rushed to the vet surgery. Three days later she subsequently died. The evidence was that she had adhesions that strangled her bowel and evidence of animal cruelty was profoundly written on her beautiful body. She was only three years old and the Gumtree listings and the record of exchange of Zipping Princess shows that many dogs like Zipping Princess are being privately rehomed out of the industry, with a third of greyhounds who retired out of the industry in the period of April to June last year being privately rehomed.

One of the recommendations of this report today is that there should be a ban on the use of Gumtree for the rehoming of greyhounds. Do you agree? Yes, you're nodding.

**Ms HOWLETT** - I do agree, Dr Woodruff, I do agree with that.

**Dr WOODRUFF** - That is very good news. Is it your intention to make sure that the new arrangements would include such a ban?

**Ms HOWLETT** - I look forward to whoever -

**Dr WOODRUFF** - There's one there today, Ms Johnston is just passing me the information.

**Ms HOWLETT** - whoever the TasRIC may be when they start having those conversations and seeing what we can do to have better outcomes for the racing industry. Deirdre, would you like to say more?

**Dr WOODRUFF** - Here we are today, minister, we've got the evidence of another dog and we've just heard from Anita next to you that it's going to be months and months.

**Ms HOWLETT** - Hopefully not.

**Dr WOODRUFF** - Sure, but can't you step in now and ban this practise? You've got that power?

**Ms HOWLETT** - I can certainly have a discussion with Tasracing about that. It's how we enforce that power that I will need to have the discussions about. Deputy Secretary?

**Ms WILSON** - Minister, with your indulgence, because you did mention the Zipping Princess matter, I've just got a short update. This issue has been in progress for a protracted period due to associated legal processes. These processes are now almost finalised and the result of the steward's inquiry on this matter will be published in due course. Because it is still active, we can't make any other comment at this time as it would be inappropriate.

In terms of the other matter, in terms of Gumtree, I think that as the minister said, it would be a matter for discussion at this stage with Tasracing.

**Dr WOODRUFF** - It's just blatant, isn't it? It should be illegal and it's happening. It's good to hear that you're going to do something.

**Ms HOWLETT** - There are certainly things that we can do a lot better, Dr Woodruff, a lot better.

**Ms JOHNSTON** - Thank you, Chair. Minister, I've just forwarded you that Gumtree advert for your information so you can see it.

Minister, back to the matter of Nicholas Howlett - and as Dr Woodruff indicated - Nicholas Howlett was the trainer who last presented a greyhound to a race with cocaine in its system just three months after being granted a trainer's licence.

He has again been suspended, this time for something far more serious, and he only received a two-month suspension. Mr Howlett failed to take a dog with an injured tail to the vet for at least 10 days - that he's admitted to - resulting in the dog's tail having to be amputated. He only took her because a steward directed him to, and for this he's only received a two-month suspension. In the inquiry, it was revealed that whilst the dog had to have its tail amputated, he also gave another dog's antibiotics to this dog. Quite serious matters here relating to animal welfare. He only received a two-month suspension for that breach in particular. Do you believe that this meets community expectations when it comes to sanctions around serious animal welfare issues and breaches of racing regulations?

**Ms HOWLETT** - I might ask the Director of Racing to come to the table. Ms Johnston, in answer to your question - no, I don't. I want us to have the most significant animal welfare laws that we can possibly have in the racing industry. We need to have that. We need to have strong mechanisms around that in order for me to rebuild trust and faith in the industry. No, it's not good enough, and I have said on so many occasions that I want anyone that is doing the wrong thing out of the industry. I'm sure the director can confirm what I've said, because I've said it many, many times.

**Ms JOHNSTON** - I think you've answered my questions. I asked about your view about community expectations and whether you're satisfied. Clearly, I take it at face value, you're not satisfied by that particular sanction that was issued against Mr Howlett.

Minister, are you concerned that the Office of Racing Integrity has taken action over whistleblowers and has found them guilty in relation to posts of what I would describe as - or

what they have described as - 'inappropriate internet posts'? They've applied harsh penalties to those whistleblowers, when those who have not complied with basic animal welfare requirements have got off pretty much scot-free?

**Ms HOWLETT** - I'll refer that question either to the deputy secretary or to the Office of Racing Integrity. I think that would be more appropriate. Thank you, Robin. If you could stay at the table, Robin, I'd appreciate that.

**Mr THOMPSON** - I've made a determination on the matter with Mr Cooper and that determination is now subject to an appeal to the Tasmanian Racing Appeal Board. That process is still active, so I can make no further comment.

**Ms JOHNSTON** - Mr Cooper?

**Ms HOWLETT** - I think that's a name that you know quite well, Leader of the Opposition.

**Ms JOHNSTON** - Through you, Minister, can I get an indication from the director of how many individuals the Office of Racing Integrity has taken action over, whether that's been calling for an inquiry or formal action in relation to their social media posts, or comments or whistleblowing activities on what's occurring in the industry?

**Ms HOWLETT** - You have been responding to some of Mr Cooper's accusations on -

**Mr WINTER** - I am happy to be forthcoming with who I've spoken to, Minister, if you're happy to be forthcoming with who you've spoken to.

**Ms HOWLETT** - I speak to lots of people, as do you.

**Mr WINTER** - Nathan Ford?

**CHAIR** - Order. If we can have no interjections either way and perhaps no inciting of interjections. I'll let the minister answer the question in silence.

**Ms HOWLETT** - I will refer that question to the Director of Racing.

**Mr THOMPSON** - Yes, social media is a relatively new form of communicating and, of course, it has its difficulties in proving a source and, I guess, attribution of comments that are made on it. We are very conscious that the identities in racing, the controlling body and stewards are not adversely attacked by social media or, in fact, any other way. That is what's led our action against Mr Cooper and that's the only action that we are currently publicly investigating. We are very aware that social media can be a very vicious media for attacking personalities - both through the controlling body and as participants in the racing industry, and it's not condoned by the rules of racing or by our values at ORI.

**Ms HOWLETT** - Nor should it be. I think everyone in this room has witnessed social media attacks, and I don't think it should be condoned in any industry.



**Ms JOHNSTON** - Just to clarify, I'm not talking about current investigations, I'm talking previous investigations. Do you have a number of how many people you've investigated? That was the original question.

**Ms HOWLETT** - On social media?

**Mr THOMPSON** - Is this just social media?

**Ms JOHNSTON** - Yes.

**Mr THOMPSON** - The one that we've prosecuted is Mr Cooper, but we've looked at many others and perhaps haven't progressed to prosecution.

**Ms JOHNSTON** - Brooke Hammond?

**Mr THOMPSON** - I can't give you a number, but we look at every one in its entirety to determine if there's enough evidence to progress to an inquiry and charges and ultimately sanction. As I said, the one with Mr Cooper has been investigated and now the decision is appealed.

**Ms JOHNSTON** - Just to clarify, minister, given you've said a number of times in this hearing today that you have a strong desire is trying to clean up the industry and to reinstate trust in the industry. Are you concerned that whistleblowers who have called out wrongdoing in the industry - that has been found to be correct - have been subject to sanctions for the actions of blowing the whistle on issues in the industry? Is that a concern to you?

**Ms WILSON** - First of all, in terms of the director, the director acts independently and must ensure the rules of racing are applied in a manner that ensures procedural fairness. If racing participants are aggrieved by a decision of the director relating to public statements or public behaviours, there is a right of appeal to the Tasmanian Racing Appeal Board. That's what has occurred with the case that the director is talking about.

**Mr FAIRS** - Minister, the Tasmanian Racing Appeals Board, or TRAB, as we know, is an important part of the industry framework. Will TRAB continue under the new model, and can you provide details about its structure and independence?

**Ms HOWLETT** - I thank the member for his question and his interest in TRAB. Under our *Racing Regulation and Integrity Bill 2024*, the TRAB continues. The TRAB, being a specialised independent appeal mechanism established by the act, is not subject to direction or influence by any person. Appeals may be lodged with TRAB:

- against a decision of Tasracing Pty Ltd or a registered club to issue a person with a warning-off notice;
- against a decision of stewards to impose a fine, suspension or disqualification;
- against a decision of the Director of Racing to impose certain licence conditions; or

- if a person is in a dispute with a bookmaker regarding a wagering dispute.

To lodge an appeal, the appellant applies within the prescribed time and pays a deposit as follows:

- within seven days, a \$200 deposit for a minor appeal where the fine did not exceed \$500 or suspension did not exceed 30 days;
- within 14 days of a \$500 deposit for a major appeal. For all other penalties, sanctions, deposits may be refunded in whole or in part as provided by the Act, pending the outcome of the appeal.
- The TRAB may suspend the operation of a penalty, pending the hearing, appoint a panel to hear the appeal, cause notice of the appeal to be given to the parties and published, and after hearing the appeal, affirm, vary or quash the decision that was subject of the appeal.
- All hearings and outcomes are published on the Department of Natural Resources and Environment Tasmania on the website page relating to TRAB.

Chair, between 1 July 2023 and June 2024 there were 30 applications for appeals lodged to the TRAB board.

**Mr WINTER** - Minister, to go back to an earlier line of questioning, do you deny offering, via Wayne Yole, the opportunity for Ben Yole to give you a call if he had any issues?

**Ms HOWLETT** - I speak to many people at the races-

**Mr WINTER** - It's quite specific. You would know, right?

**CHAIR** - Mr Winter.

**Ms HOWLETT** - As do you, Mr Winter, I speak to many people. Whether it be at training facilities, at kennels, or at race meets. I speak to many, many people.

**Mr WINTER** - It's quite specific. You would remember it, though. Do you deny that you had that conversation?

**Ms HOWLETT** - As I've said, I speak to many people, Mr Winter.

**Mr WINTER** - Okay. I'll move on, because you're obviously not going to answer the question and we have a short amount of time.

Chair, one of the major bumbles by Mr Helmich in his former role was the standing down of steward Janet Ainscow, the brave whistleblower who blew the whistle on many of the activities of the Office of Racing Integrity. That was done initially on the basis that Ms Ainscow had complained about conditions at the Yole's Sidmouth property. Now, given that the findings

in the Murrihy review back in exactly what she said, why has Ms Ainscow not been reinstated to act as a harness racing steward?

**Ms HOWLETT** - I thank the member for his question, and that is an operational matter for the Office of Racing Integrity - for the secretary, sorry - and I will pass over to Deidre to make comment to your question.

**Ms WILSON** - Through you, minister: I'm going to attempt to answer this without referring to names - I think that's appropriate - but as you've mentioned-

**Mr WINTER** - Ms Ainscow has been very public. She's been on TV.

**Ms WILSON** - And I thank you pointing that out. As the secretary outlined last year, she has not been stood down. The then-director of racing was simply managing a potential conflict of interest. Management of conflict of interest, especially in regulatory roles, is a fundamental principle to ensure confidence in the regulatory system. I'm sure you would agree that managing conflict of interest is paramount to maintaining the integrity of the racing industry.

As you've just identified, it's publicly known that the person has made numerous comments around a harness racing participant. This may create a perception of a conflict of interest, should they continue to undertake stewarding duties within harness racing.

I'm sure you would agree that a steward actively and publicly supporting a particular participant is inconsistent with the behaviours that you would expect of a steward. I'm sure you can then appreciate that it would be entirely inappropriate for a steward to be presiding over races that involve participants that the same steward has made public allegations and complaints against.

Given this, the staff member has been assigned to stewarding duties across a different code. Reassigning of duties within the scope of a role is an appropriate mitigation to manage a potential conflict of interest.

I'd like to state again: the stewardess simply has been reassigned to another racing code. I'd also like to make clear that, besides managing the potential conflict of interest, the steward has not been treated any less favourably than any other ORI staff member.

**Mr WINTER** - The steward has been clearly disadvantaged by blowing the whistle. The steward was acting as a harness racing and thoroughbred racing steward beforehand, and she now, as I understand it, was receiving very few race meets in which to preside over.

I understand about managing conflicts of interest, but, following your logic, given that the participants she was complaining about were stood down for a period of months, why was she not reinstated while they were stood down?

**Ms HOWLETT** - I thank Mr Winter for his question, and I'll ask -

**Ms WILSON** - Through you, minister, the steward was not stood down, and the duties, I understand, were continued. The duties as a casual steward continued.

## PUBLIC

**Mr WINTER** - Minister, do you see it as a problem that your own stewards at the Office of Racing Integrity reported on numerous occasions that everything was fine at Ben Yole's Sidmouth property, but that Mr Murrihy then found that stocking density was too high, it was poorly drained, the feeding regime was inadequate, and there wasn't protection from the weather?

Two things: has any of that changed since Mr Murrihy's review, almost a year ago? Second, don't you see that as a problem that the stewards said everything was fine when Mr Murrihy said that it absolutely wasn't? What does that say about your stewards?

**Ms HOWLETT** - I thank the member for his question, and I will pass to -

**Ms WILSON** - Through you, minister: I might start, and then the director may have something to add about current inspections of the property. Mr Murrihy, in his report, explicitly states that the issue is that stewards can only enforce the rules of racing and that currently that the rules of racing did not allow for actions by stewards. I am paraphrasing, so sorry I'm not quoting specifically, but it is in his report, and that's why part of his recommendations was for the equine code of conduct to be progressed as a priority and to be enforceable.

**Mr WINTER** - Well, on the equine code of conduct, since you've mentioned it, the code was committed to 18 months ago by the former minister, two ministers ago, Madeleine Ogilvie. Why is it that we still don't have an equine code of conduct so that we can look after these horses that are currently living in a mud hole at Sidmouth. It is a hell hole for animals there and it seems like nobody in the Office of Racing Integrity or NRE or you, minister, or anyone cares.

**Ms HOWLETT** - Thank you, Chair, and I thank the member for his question. The equine code of racehorse welfare is publicly available and I will pass it to you. This is a draft copy. It's out for consultation and -

**Mr WINTER** - Eighteen months later we've got a consultation draft.

**Ms HOWLETT** - We progressed.

**Mr WINTER** - It's like the slowest snail in the world.

**Mr THOMPSON** - Through you, minister, the code of of conduct has been out for consultation, the Office of Racing Integrity has worked very closely with the vet Dr Martin Lenz at TasRacing to develop the draft code, which has been consulted widely through industry and it will now go, I believe, to the rules and policy committee of the racing industry for ratification.

Regarding the inspections at Yole's stables, my office is very aware of the conditions that apply there. We have treated the inspections of those facilities as a really high priority and to date all inspections have determined that the trainer is compliant with the rules of racing and that the conditions observed during the inspections did not breach the *Animal Welfare Act*.

Now that's of course in the absence of the code of practice, which may well impose different levels of scrutiny and levels of practice that will need to be complied with, but, at the moment that is not implemented.

Since 1 January 2020 until 30 June 2024, a total of 63 inspections have been undertaken at the old premises, and most of those inspections have been taken either by a regulatory veterinarian or the veterinarian in accompaniment with stewards, and the steward undertaking those inspections have been rotated around to ensure that different stewards have the opportunity of having different perspectives of what they see.

This is not the only property that is regularly inspected by our stewards and our regulatory vet and similar regimes are followed by a number of other properties in Tasmania.

**Dr WOODRUFF** - Mr Winter's comments before, we absolutely agree with, about the hell hole conditions that animals are subjected to surviving in under the horse racing and the greyhound racing industry. This report makes it so clear that the conditions exist on 19 properties and they have found enormous evidence through drone footage of the conditions that greyhounds are subjected to living in at Barry Haywood's property, bare concrete floors, no bedding, poor conditions, signs of chewing their beds. At the Nichols and Nash property at Birrallee, where it can get down to minus five degrees overnight, where Zipping Princess had her last days. Also, slime water, freezing cold conditions, rundown sheds, no bedding, signs of chewing. There are many, many more examples in this report.

One of the recommendations is to have a cap on the breeding of greyhounds. This is an obvious thing -

**CHAIR** - Dr Woodruff, can we get to the question?

**Dr WOODRUFF** - The over-breeding of greyhounds is driving enormous numbers into this industry and there's no traceability. Do you agree and will you support a move to cap the breeding of greyhounds for racing?

**Ms HOWLETT** - There already is a cap on the amount of litters that a greyhound can have and I'll pass over to Robin to speak to that.

**Dr WOODRUFF** - No, it's the number of animals, minister, that are going into the industry.

**Ms JOHNSTON** - They are only bred for the industry; you can't buy a greyhound puppy just for pleasure.

**Ms HOWLETT** - Thank you. Deputy secretary?

**Ms WILSON** - I have to look it up. I don't know if it's a local rule or a guideline. I'll have to find that for you.

**Mr THOMPSON** - It's a rule. I might mislead you if I tell you what I think it is.

**Ms WILSON** - We have to check the exact details of that. There is a local rule around capping the number of litters and the age of the breeding dog. There is already a local rule that applies.

**Dr WOODRUFF** - There's an enormous number of animals that are being bred only for the purpose of racing and being a by-product essentially of a profit-making industry. Why are there no photos on Facebook of baby greyhounds? Why is it impossible for anyone else in the community to buy greyhounds as puppies. They are only bred for racing and yet there is no traceability from birth of these dogs. Traceability and breeding caps together are what's so critical. Are you looking at traceability? Is that something which is critical? Is it something you will commit to bringing in?

**Ms HOWLETT** - As I mentioned before, we're looking at the nose print technology that's being looked at nationally, and traceability.

**Dr WOODRUFF** - Will you introduce that into Tasmania?

**Ms HOWLETT** - We already have extremely tight laws around the age of bitches when they can have litters and also the amount of litters that a bitch can have; it is extremely low. I don't have that information in front of me but I do know is when we're looking at puppy farms et cetera and the amount of litters a bitch can have, we would have to make greyhounds exempt.

**Ms WILSON** - Through you, minister, greyhounds already have a stringent regimen and that will become part of what will come forward in our discussion paper to indicate that's their current regimen. What we want to do is look at what will also apply to all dogs, so that we're looking at dealing with some of the animal welfare issues that members have already raised today and that the minister has addressed.

**Dr WOODRUFF** - The clear gap, minister, is the traceability from birth to death of greyhounds.

**Ms HOWLETT** - We're certainly looking at that and I believe with microchipping, and please correct me if I'm wrong Rob, I believe it's three months of age - and I think nose printing, the new technology that they're looking at, is available from around six weeks of age you can do nose print technology, but these are options that we are currently looking at a national level.

**Mr THOMPSON** - Through you, minister, in November this year the use of ear tattoos is being ceased by the greyhound industry. The only form of identification will then be the microchip. The industry is looking at whether that microchip, as a single identifier coupled with the marking up the colour patterns et cetera and gender of the dogs, is sufficient to ensure the identity of that individual animal. As the minister has said, nose printing technology, which looks at the hills and valleys, if you like, of the prints on the nose, which is unique to each animal, as a second identifier. There's a way to go with that technology as to whether it's going to be embraced by industry, both from a practical perspective but also from a cost perspective. That nose print technology could be something that local councillors may also use in the Dog Control Act, but it does come with a cost, and we're still uncertain about what that cost might be and the technology to support it at the moment is microchipping after the end of November.

**Ms HOWLETT** - Just to your point there, Robin, accurate identification of greyhounds is essential input to racing integrity and animal welfare. Greyhounds have traditionally been identified using ear tattoos and implanted microchips. Some welfare advocates see tattooing as cruel and microchipping as invasive surgery. Greyhounds Australasia has adopted a policy to phase out ear tattoos as a greyhound identifier, leaving microchips as the single identifier. If a microchip fails to read or becomes damaged, there is no definitive way of identifying a dog,

hence such an animal would not be allowed to race, and also has traceability impacts. Most prints are unique to individual dogs and cats; they're akin to human fingerprints, offering accuracy of identification of 99.75 per cent. Greyhound Welfare and Integrity Commissioner GWIC has proposed to introduce the use of nose prints as a secondary greyhound identifier.

**Dr WOODRUFF** - Will Tasmania go ahead of the national laws or rules in this regard? Will we not wait for all the other states to come on board? It's obviously something that we can and should be doing immediately.

**Ms HOWLETT** - This is a national model and this is something that we're currently looking at the moment.

**Ms WILSON** - The other thing that I might add is that there was some funding provided to the RSPCA to look at traceability. My understanding is that by Biosecurity Tasmania will be working with RSPCA to consider their report and I'm looking forward to reading what they propose but that was from funding from the government to get that reporting done and see what they propose and what might be practicable. It was in recognition of exactly the issue you're talking about, which is what do we do around traceability with greyhounds and what's practical with that.

**Ms JOHNSTON** - I reiterate the concerns of my colleagues Mr Winter and Dr Woodruff around the conditions of those horses at Yole's property and also note that the report released today by Animal Liberation Tasmania outlines a 'hell hole' that hundreds of dogs live in; in Tasmania, on a number of properties. Why does it take so long to establish equine codes of conduct or greyhound welfare standards and I'm particularly interested in greyhound welfare standards. It's almost as if greyhounds and horses are unique to Tasmania. Surely these standards must be in place elsewhere and I do recognise that greyhounds are only allowed to race in eight countries now across the world. I can't understand why we could not have taken best practice models from other jurisdictions and implemented them very quickly and why it takes so long to do consultation on this. Surely, we just determine what the best practice is and the industry complies with best practice. It's not a matter of consulting and watering it down.

**Ms HOWLETT** - Thank you, Chair, and I thank the member for her question and I'll refer to the deputy secretary to speak more after that.

**Ms WILSON** - This is a Tasracing process, but what I can say is that the *Animal Welfare Act* still applies in terms of horses, in terms of the broad requirement for an appropriate duty of care, so that still applies, it's not that it's there.

**Ms JOHNSTON** - Which is woefully inadequate in itself.

**Ms WILSON** - As I say, it is a matter for Tasracing in terms of the time frame but the standards are under consultation. It's really important that they are based on that best practice but also enforceable - and my understanding is that's being led by the Tasracing chief veterinary officer with a strong focus on good animal welfare.

**Ms JOHNSTON** - Thank you for answering that question. The answer was Tasracing is leading the process and there lies the conflict of interest, I think.

Minister, another question I have is in relation to education and training of participants in the industry. The Joint Select Committee in 2016 recommended that mandatory education and training of contemporary animal welfare standards and the provision of the *Animal Welfare Act* be required for all licensed participants within the greyhound racing industry. Minister, can you confirm that every licensed participant in the greyhound racing industry has undergone that training and if not, why not?

**Ms HOWLETT** - I'm not sure if that's a Tasracing question or an Office of Racing Integrity question.

**Mr THOMPSON** - I can say that the regular inspections that take place by ORI stewards to the training facilities on all three codes, include an educational component, whereby the stewards confer with the trainers, et cetera, and educate them according to what the expected standards are and use that process as education, if you like, as the first step in compliance. Then if those steps are not taken that are dictated by the stewards during those inspection processes, then some corrective action notices are issued which are then followed by more serious charges should the corrective action notices not be adhered to.

**Ms JOHNSTON** - To clarify, minister, your government in a status update in May 2022 in response to the education and training requirements said:

Tasracing are currently in negotiations with TasTAFE in relation to delivery of improved training for the greyhound racing industry, where expanding education options with a view for TasTAFE to support animal welfare training, as well as mandatory drug and alcohol training for the racing industry.

It's not just education taken ad hoc when stewards have the opportunity to interact with the licensed participants, it is formal training through TasTAFE, or some other accredited training organisation. Have industry participants engaged and has everyone engaged in an Animal Welfare Standards and Contemporary Practices Training program?

**Ms HOWLETT** - Unfortunately, we don't have that information as that's a GBE Estimates question for Tasracing. However, I can try and seek that.

**Ms JOHNSTON** - Could you take that one on notice please?

**Ms HOWLETT** - I don't know that I can because it's not relevant to this.

**Ms JOHNSTON** - It's relevant because they had to be licensed participants, so surely, it's a requirement of their licence that they've conducted the relevant training and the licence is issued from ORI.

**Ms WILSON** - Only if it's a requirement in the rules of racing for greyhounds. We would have to check. That's the connection. The director is able to license, as the director said, under the act, but it's in accordance with the particular rules.

**Ms HOWLETT** - Before we run out of time I need to table a document too.



## PUBLIC

**Mr WINTER** - In relation to that, I asked earlier, have there been any referrals from the Murrihy or elsewhere to police, and the response was, 'I'd take advice on that'. I just wondered if you could take it on notice so that I can table it.

**Ms HOWLETT** - I'm happy to take that on notice.

**Mr WINTER** - Is it up for my call as well?

**CHAIR** - Yes, but I think the minister had some stuff to table.

**Ms HOWLETT** - Mrs Pentland asked for the swab data earlier to be tabled for the committee. Can I please table that document?

**CHAIR** - Noting we finish at 2.15 p.m., I'll go straight to Mr Winter.

**Mr WINTER** - On 12 December last year, Jaron Urquhart was involved in a horrific workplace incident while working at Ben Yole Racing. The accident occurred at Mr Yole's property where Mr Urquhart fell off the back of a car that he was sitting on. He was subsequently run over by a horse float. His injuries included severe gravel rash requiring a skin graft, broken tibia, fibula, pelvis and ribs. It was a shocking incident. He alleges that he'd been paid in cash for six months before the accident. I shouldn't say accident, the incident. He also possessed an audio recording where licensed trainer Ben Yole can be heard saying, 'I don't have any insurance mate' immediately following the accident, Mr Urquhart was then moved without his consent.

Given that evidence that's been provided to the Office of Racing Integrity, Mr Yole's failure to hold workers' compensation insurance when the crash involving Lily happened, how is it that Ben Yole Racing continues to be seen as a fit and proper person by the Office of Racing Integrity?

**Ms HOWLETT** - As I stated before, WorkSafe Tasmania is responsible for regulating the *Workers Compensation and Rehabilitation Act*, (WRCA), and for ensuring compliance, including investigating alleged breaches of the act.

I'm not sure if the Office of Racing Integrity has anything more to add, or the Deputy Secretary?

**Mr WINTER** - I have another question in relation to workers' compensation. In an RTI that I received earlier this year, we RTI'd around workers' compensation claims and [inaudible] correspondence that shows that Tasracing inquired as to the workers' compensation in relation to Ben Yole Racing and, therefore, Wayne Yole Racing, who was then the licensed trainer, and Tasracing seems to be indicating that they believe Wayne Yole should have workers' compensation insurance, and the director of racing at that time responds and says that he doesn't need it because Wayne Yole doesn't have any employees.

Given that Wayne Yole, as to my understanding, trains over 100 horses, and my understanding is he couldn't possibly do that without having employees, how is it that the director of racing and the Office of Racing Integrity have allowed him to continue to operate without workers' compensation insurance?

## PUBLIC

**Ms HOWLETT** - I thank the Leader of the Opposition for his question and I'll hand over to the Office of Racing Integrity.

**Mr THOMPSON** - Thank you, minister. The time line that we're looking at here is important. I think when that RTI was initiated, it referred to a time when Mr Ben Yole had been exiting from the industry and when Mr Wayne Yole was taking over and he had a very small number of horses. I do recall seeking clarification from him as to whether he had workers' compensation insurance and the response that you referred to a moment ago was what was forthcoming.

Of course, the ongoing issue of workers' compensation insurance is not a matter from a licencing perspective. I've had clear legal advice to say that it is not a consideration as a matter for considering whether a licence application is received or whether a licence is granted. It is one that is for action by WorkSafe Tasmania and, as I said before, if Worksafe Tasmania makes some adverse findings through the court system against any participant, that would be considered should a licencing application come from those participants.

**Mr WINTER** - Does Wayne Yole have any employees?

**CHAIR** - Mr Winter, the time being 2.15 p.m., time for scrutiny has expired. The next portfolio to appear before the committee is the Minister for Education at 2:30 p.m.

Thank you all for your cooperation.

**The Committee suspended from 2.15 p.m.**