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PARLIAMENT OF TASMANIA

House of Assembly Standing Committee on Government  
Administration B

# **Short Inquiry into the Tasmanian Government's response to serious allegations within harness racing**

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MEMBERS OF THE COMMITTEE

*Mr Fairs*  
*Mr George*  
*Ms Haddad (Chair)*  
*Mr Jaensch*  
*Ms Johnston (Deputy Chair)*  
*Ms Rosol*  
*Mr Winter (as proxy for Ms Brown)*

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## CHAIR'S FOREWORD

On behalf of the House of Assembly Standing Committee on Government Administration B, I am pleased to present this report.

What was intended to be a short inquiry into the Tasmanian Government's response to serious allegations within harness racing, in fact became quite a lengthy inquiry stretching over 18 months and the interruption of the Parliament being prorogued due to the 2025 early election.

The Committee membership changed over the life of the inquiry. Thank you to the Members of the Committee in the Fifty-First Parliament: *Simon Behrakis MP, Kristie Johnston MP, Rebekah Pentland MP, Cecily Rosol MP, Rebecca White MP, Dean Winter MP, and Simon Wood MP*, and to the Members responsible for this final report: *Rob Fairs MP, Peter George MP, Hon. Roger Jaensch MP, Kristie Johnston MP, Cecily Rosol MP and Dean Winter MP*.

Sincere thanks also to the Tasmanian Parliament's Committee secretariat, in particular Mr Michael Barnier, for his support of the Committee's work and the witnesses who provided evidence.

The Committee heard substantial evidence about serious issues in Tasmania's harness racing industry. This includes serious allegations of questionable and potentially unlawful behaviour. However the Committee's work was somewhat hampered by the inability to gather much of the evidence required including from witnesses who avoided answering questions or delayed their agreement to appear before a hearing, and due to Mr Ray Murrphy's decision not to participate.

Mr Murrphy's decision not to participate, despite repeated requests, was very disappointing. It leaves many questions unanswered not only for the Committee but also for the harness racing and broader community.

Despite these issues hampering our work, the Committee has made a range of important findings as well as recommendations that should be considered by the Tasmanian Government in any future work of this type.

Additionally, we have made a range of recommendations that would improve standards. These include actions that would improve safety for workers and improve animal welfare standards.

On behalf of the Committee, I would like to thank all those who took the time to make submissions or provide evidence to the inquiry and for sharing their experience with us, either in writing or at our hearings.

A handwritten signature in black ink, appearing to read 'Ella Haddad', with a long horizontal stroke extending to the right.

Ms Ella Haddad MP  
**CHAIR**

**24 April 2026**

## FINDINGS

### Chapter 2 - Murrihy Review

1. In developing the Murrihy Review's terms of reference, the Secretary of the Department of Natural Resources and Environment Tasmania liaised directly with Mr Ray Murrihy.
2. Correspondence received by the Committee in response to questions on notice shows an early draft of the terms of reference proposed to appoint the investigator as a steward with the ability to use the powers under the *Racing Regulation Act 2004*.
3. An email exchange between Mr Jason Jacobi and Mr Ray Murrihy shows that at least two early drafts of the terms of reference intended that Mr Murrihy have the ability to determine if any charges were warranted under the Australian Harness Racing Rules.
4. In evidence provided to the Committee on 9 December 2025, Mr Jason Jacobi said that Mr Ray Murrihy agreed to the terms of reference by quoting from email correspondence dated 29 March 2023 but omitted to tell the Committee that further material changes were later agreed between them.
5. The final terms of reference do not refer to the appointment of the investigator as a steward.
6. The final terms of reference replaced the ability for Mr Ray Murrihy to 'determine if there are any charges warranted' with 'determine compliance with the Australian Harness Racing Rules'.
7. The Committee does not have the evidence required to make a finding as to why material changes were made between the early and final versions of the terms of reference.
8. The Committee made multiple attempts to obtain further evidence from the Department of Natural Resources and Environment Tasmania, and notes the significant redactions in correspondence provided which may have been relevant.
9. Mr Ray Murrihy refused invitations to participate in the Inquiry.
10. Mr Ray Murrihy was appointed as a stipendiary steward under the *Racing Regulation Act 2004* and invested with the full powers and obligations of that position. At the time of his appointment, section 51 (1)(a) of the *Racing Regulation Act 2004* stated that stipendiary stewards are to enforce the Rules of Racing.

11. Mr Jason Jacobi gave evidence on 9 December 2025 that he believed it would not have been appropriate for Mr Ray Murrphy to be able to lay charges as it would have resulted in significant bias.
12. The Australian Harness Racing Rules provide the obligations and powers of stewards when conducting inquiries and investigations. Rule No. 15 outlines all the powers held by stewards and Rules No. 181-187 outline stewards' powers relating to inquiries and investigations.
13. As a steward, Mr Ray Murrphy held these and other powers under the Australian Harness Racing Rules.
14. The Department of Natural Resources and Environment Tasmania was of the view that the Murrphy Review was to be the first stage in a two-staged process, with the second stage involving a separate independent stewards' panel to investigate and lay charges pursuant to the Australian Harness Racing Rules, if warranted.
15. There were perceptions and expectations in the Tasmanian harness racing industry that Mr Ray Murrphy would lay charges pursuant to the Australian Harness Racing Rules if warranted. This expectation may have influenced people's participation.
16. There was insufficient communication about the powers and purpose of the Murrphy Review. This may have led to some people providing evidence to the Review under the false assumption that charges could be laid by Mr Ray Murrphy, if warranted.
17. The Minister for Racing at the time of the appointment of Mr Ray Murrphy, Hon. Madeleine Ogilvie MP, maintained that it would have been inappropriate for Mr Murrphy to lay charges as part of his Review.
18. The Tasmanian Government received the Murrphy Review Final Report on 28 November 2023 and released it publicly on 31 January 2024.
19. RSPCA Tasmania and Biosecurity Tasmania were notified of aspects of the Murrphy Review Final Report on 5 January 2024, prior to publication, while Tasracing and the former Office of Racing Integrity were not.
20. The Minister for Racing at the time of receipt and publication of the Murrphy Review Final Report, Hon. Felix Ellis MP, maintained that it was not appropriate to share the Final Report with Tasracing or the Office of Racing Integrity prior to its public release, so as not to impact ongoing investigations and to ensure advice was sought on releasing the Final Report in full.
21. On 16 January 2026, Hon. Felix Ellis MP provided evidence that all matters relevant to Tasracing from the Murrphy Review were contained within Mr Ray Murrphy's Interim Report.

22. The Committee's Inquiry was hampered by the unavailability of key witnesses and the reluctance of some government officials to provide direct, relevant answers to questions.

#### Chapter 3 - Independent Stewards Panel

23. As recommended by Mr Ray Murrphy in his Final Report, the Secretary of the Department of Natural Resources and Environment Tasmania appointed an Independent Stewards Panel to investigate matters raised in the Murrphy Review, and to determine and lay charges pursuant to the Australian Harness Racing Rules, if warranted.
24. In the Independent Stewards Panel Interim Report dated 10 May 2024, concerns about questionable race tactics in 14 of the 15 races identified by Mr Ray Murrphy were dismissed.
25. There was significant dissatisfaction with the Independent Stewards Panel's investigation, with industry participants raising concerns about the length of time taken, evidence from the Murrphy Review not considered, and witnesses not interviewed by the Panel.
26. The Independent Stewards Panel's investigation would have been more comprehensive if all evidence from the Murrphy Review had been taken into consideration.
27. Significant concerns were raised about communication and natural justice during the Independent Stewards Panel's investigation. Concerns included allowing legally represented parties to cross-examine an unrepresented vulnerable witness without notice.
28. Lily Blundstone suffered emotional trauma as a result of her participation in the Independent Stewards Panel's investigation.

#### Chapter 4 - Licensing and warning off of participants

29. There was no communication between Tasracing and then Minister for Racing, Hon. Felix Ellis MP, or the Department of Natural Resources and Environment Tasmania prior to Tasracing's decision to issue warning off notices to harness racing participants after the publication of the Murrphy Review Final Report, apart from notification of the decision as a courtesy.
30. There was a perception in the harness racing industry that the Office of Racing Integrity could have taken more proactive action on whether harness racing participants referred to in the Murrphy Review were fit and proper persons to hold a licence.
31. The Tasmanian Government responses to licensing issues include improved licensing and review processes under the new Racing Regulation and Integrity framework.

#### Chapter 5 - The performance of the Office of Racing Integrity

32. The Murrirhy Review found significant systemic and structural failures of governance and integrity in the former Office of Racing Integrity.
33. The Office of Racing Integrity and Racing Ministers received complaints from harness racing participants about integrity matters arising from dissatisfaction with stewarding.
34. The original complaint-handling framework was structurally flawed. In at least one instance, a complaint received by a Racing Minister about the Office of Racing Integrity was referred to the Office of Racing Integrity for investigation.
35. Harness racing participants presented issues with the Office of Racing Integrity's complaint-handling processes and there was a prevalent perception that the Office of Racing Integrity did not act on complaints relating to serious integrity issues.
36. Former Directors of Racing undertook investigations of complaints in accordance with the complaints-handling rules and procedures applicable at the time.
37. Some harness racing participants linked concerns about poor regulation of harness racing - particularly at the level of stewarding - to the lack of racing experience of former Directors of Racing.
38. The former racing integrity framework was deficient and the Office of Racing Integrity needed to be abolished.
39. The recently-implemented Racing Regulation and Integrity framework in Tasmania, presents a new opportunity for a fairer and better regulated harness racing industry, particularly with the creation of the new independent Tasmanian Racing Integrity Commissioner.

#### Chapter 6 - Any other matters

##### Animal Welfare – Equine Code of Practice

40. There are serious concerns that animal welfare standards in harness racing in Tasmania are deficient and do not meet community expectations.
41. There are significant, unresolved concerns about animal welfare of horses on the Yoles' property in Sidmouth, Tasmania.
42. There have been longstanding calls for an equine code of practice in Tasmania, and Mr Ray Murrirhy also recommended the adoption of such a code.
43. An Equine Code of Practice was implemented on 1 November 2024.

44. The Equine Code of Practice implemented on 1 November 2024 was deficient and set an unacceptably low threshold for animal welfare.
45. On 5 March 2025, the Minister for Racing wrote to the Tasmanian Racing Integrity Commissioner seeking a review of the Equine Code of Practice, approximately four months after its implementation.
46. The Equine Code of Practice has been updated and was released on 15 December 2025.

#### Workers' Compensation Obligations and Fatigue Management

47. It is the responsibility of employers in the harness racing industry to ensure that work health and safety obligations are met through appropriate policies and procedures to mitigate risks for employees.
48. It is a legal requirement that employers in the harness racing industry have appropriate workers' compensation insurance.
49. There have been serious issues with workers' compensation within the Tasmanian harness racing industry, with some participants non-compliant with requirements.
50. In 2024, WorkSafe Tasmania undertook a proactive program of work health and safety and workers compensation education and compliance with the racing industry, including the harness racing industry.
51. Employee fatigue is a critical risk in the Tasmanian harness racing industry, because of long work hours, late night scheduling of races, and long distances travelled.
52. There have been significant fatigue-related incidents in the harness racing industry over many years.
53. Tasracing only finalised its Fatigue Management Guidance note for the racing industry in June 2025 and the delay may have resulted in a prolonged period of unsafe work practices for participants.
54. Sky Channel dictates late night scheduling of harness races for broadcasting and wagering reasons. This presents significant work health and safety risks for Tasmanian racing industry workers.

#### Tasmanian Racing Appeals Board

55. There is a perception within the harness racing industry that the Tasmanian Racing Appeals Board takes too long to determine matters.
56. There is a perception within the harness racing industry that some Tasmanian Racing Appeals Board decisions appear to be at odds with the rules of racing, undermining stewards' decision-making and confidence in their own rulings.

57. There is a common perception within the harness racing industry that the membership of the Tasmanian Racing Appeals Board lacks sufficient racing experience and knowledge.

## RECOMMENDATIONS

### Chapter 2 - Murrilhy Review

1. That in all future reviews of this kind, the Tasmanian Government clearly communicate the intent and structure of the review, and the powers of the reviewer, to all participants and the public.
2. That Tasmanian Government departments assist and cooperate fully with parliamentary inquiries to the greatest extent possible.
3. That Parliament of Tasmania develop a clear set of guidelines and expectations as to how Tasmanian Government departments are expected to assist parliamentary committee inquiries.

### Chapter 3 - Independent Stewards Panel

4. That in any future two-stage investigations of this type, provision be made that evidence received in the first stage can be considered in subsequent stages.
5. That the principles of natural justice are consistently applied in future investigations of this type.

### Chapter 4 - Licensing and warning off of participants

6. The Tasmanian Government continue to identify potential improvements in harness racing licensing and implement them.

### Chapter 5 - The performance of the Office of Racing Integrity

7. The Tasmanian Government continue to identify and implement improvements that would strengthen the integrity of the harness racing industry in Tasmania.

### Chapter 6 - Any other matters

#### Animal Welfare – Equine Code of Practice

8. That the Tasmanian Government continues to evaluate and review the Equine Code of Practice to ensure that it maintains a high standard of animal welfare.
9. That the Tasmanian Government ensure that the Equine Code of Practice is upheld and enforced.

#### Workers' Compensation Obligations and Fatigue Management

10. That Tasracing prioritise the welfare of harness racing participants, workers and employer work health and safety obligations over wagering income.
11. That Tasracing discusses with participants strategies to mitigate the risks associated with travel after late night races.

12. That any future racing industry review considers the work health and safety risks associated with late night race scheduling.

*Tasmanian Racing Appeals Board*

13. That the Tasmanian Racing Appeals Board ensures appeals are resolved in a timely manner.
14. That the Tasmanian Racing Appeals Board ensures its decisions are in line with the Australian Harness Racing Rules.
15. That the Minister for Racing reviews the required skills base of the Tasmanian Racing Appeals Board, and ensures its membership includes knowledge and experience in racing.

# 1 BACKGROUND AND INQUIRY PROCESS

## Background

- 1.1 In August 2021, the Tasmanian Government announced a review of the *Racing Regulation Act 2004*, led by Mr Dale Monteith, for the purpose of strengthening integrity and animal welfare within the racing industry.<sup>1</sup>
- 1.2 The *Review of the Racing Regulation Act 2004: Securing the Integrity of the Tasmanian Racing Industry* (the Monteith Review), was published in June 2022.<sup>2</sup>
- 1.3 In response to the Monteith Review, the Government began drafting new legislation to enhance integrity and animal welfare.<sup>3</sup>
- 1.4 On 26 March 2023, the Australian Broadcasting Corporation (ABC) published an investigative report into the harness racing industry in Tasmania.<sup>4</sup> The ABC report focussed on allegations related to trainer Mr Ben Yole, including race fixing, team driving, and animal welfare concerns in the harness racing industry. Industry participants shared their dissatisfaction with the Office of Racing Integrity's (ORI) complaints handling process.<sup>5</sup>
- 1.5 In the ABC report, ORI maintained that the Yole stables were subject to regular inspections conducted by both ORI and the Royal Society for the Prevention of Cruelty to Animals (RSPCA) Tasmania, and that no breaches had been identified.<sup>6</sup>
- 1.6 On 26 March 2023, then Minister for Racing, the Honourable Madeleine Ogilvie MP, asked ORI to immediately review the cases referred to in the ABC report.<sup>7</sup>
- 1.7 The Government then announced on 27 March 2023 an independent review into the allegations raised.<sup>8</sup> The Government engaged Mr Ray Murrphy to conduct the review, pursuant to the following Terms of Reference:<sup>9</sup>

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<sup>1</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 2.

<sup>2</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 2.

<sup>3</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 2.

<sup>4</sup> Australian Broadcasting Corporation, *Ben Yole Harness Racing Dominance in Tasmania*, <https://www.abc.net.au/news/2023-03-26/ben-yole-harness-racing-dominance-in-tasmania/102122922>.

<sup>5</sup> Australian Broadcasting Corporation, *Ben Yole Harness Racing Dominance in Tasmania*, <https://www.abc.net.au/news/2023-03-26/ben-yole-harness-racing-dominance-in-tasmania/102122922>.

<sup>6</sup> Australian Broadcasting Corporation, *Ben Yole Harness Racing Dominance in Tasmania*, <https://www.abc.net.au/news/2023-03-26/ben-yole-harness-racing-dominance-in-tasmania/102122922>.

<sup>7</sup> See Media release, Hon. Madeleine Ogilvie MP, then Minister for Racing, *Upholding the integrity of Tasmania's racing industry*, dated 26 March 2023.

<sup>8</sup> Submission No. 2, Minister for Racing, Hon. Jane Howlett MP, p. 2.

<sup>9</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 2.

- (1) Conduct an investigation of all circumstances surrounding the races referred to in the ABC media report of 26 March 2023 to determine compliance with the Australian Harness Racing Rules.
  - (2) Conduct an investigation into any other harness races from the past three years that may demonstrate team driving and/or race fixing that have not previously been subject to a decision by the Tasmanian Racing Appeals Board or other independent assessment (e.g. the Tasmanian Ombudsman or Tasmanian Integrity Commission) to determine compliance with the Australian Harness Racing Rules.
  - (3) Conduct an investigation into animal welfare conditions at the Yole Sidmouth racing stables to determine compliance with the Australian Harness Racing Rules.
  - (4) Review the adequacy of the Office of Racing Integrity's management of allegations by industry participants (such as drivers, stablehands and trainers) and a casual steward in 2022 concerning team racing and/or race fixing and other matters in the ABC media report of 26 March 2023 as the investigator sees fit and make any relevant recommendations.
  - (5) Review the adequacy of complaints management by the Office of Racing Integrity relating to allegations of team driving and/or race fixing in the harness racing industry in the past three years and make any relevant recommendations.
  - (6) Advise on any matters that could be included in the proposed Tasracing Code of Practice of equine welfare and management, and any other opportunities to improve horse welfare. The independent reviewer is to consult with the RSPCA Tasmania, the Chief Veterinary and Animal Welfare Officer at Tasracing and the Chief Veterinary Officer in the Department of Natural Resources and Environment Tasmania in undertaking this review.
  - (7) Advise on any other matter relating to animal welfare, team driving and/or race fixing in the Tasmanian harness racing industry that the independent reviewer determines relevant.<sup>10</sup>
- 1.8 On 28 March 2023, the Legislative Council Sessional Committee on Government Administration B resolved to conduct a short inquiry into the role and functions of the ORI.<sup>11</sup>
- 1.9 Public consultation for the draft *Racing Regulation and Integrity Bill 2023* and the *Racing and Integrity (Consequential Amendments) Bill 2023* was opened from 24 August 2023.<sup>12</sup>
- 1.10 On 31 August 2023, an Interim Report for *The independent investigation and review into matters of alleged team driving and/or, race fixing, and animal welfare*

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<sup>10</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, Attachment 3, Independent Investigation and Review into Allegations of Team Driving and Race Fixing and Animal Welfare Concerns in the Tasmanian Harness Racing Industry and the Management of those Issues by the Office of Racing Integrity, pp. 1-2.

<sup>11</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 5.

<sup>12</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 2.

concerns relating to the harness racing industry and the management of those issues by the Office of Racing Integrity (the Murrphy Review) was provided to the Government.<sup>13</sup>

- 1.11 The Final Report of the Legislative Council Sessional Committee on Government Administration B's short inquiry into the Office of Racing Integrity was tabled in the Legislative Council on 28 September 2023.<sup>14</sup>
- 1.12 The Government received Mr Murrphy's Final Report on or around 29 November 2023.<sup>15</sup>
- 1.13 In its submission to this inquiry, the Department of Natural Resources and Environment Tasmania (NRE Tas) stated that "the Short Inquiry, Monteith Review and Murrphy Review recognised the importance of legislative reform".<sup>16</sup>
- 1.14 Following Mr Murrphy's Final Report, the Government committed to publishing quarterly progress reports outlining their response to the Murrphy Review's recommendations.<sup>17</sup> The Honourable Jane Howlett MP, Minister for Racing, outlined the Government's progress in responding to the Review:
- *Our new legislation that will provide the Tasmanian racing industry with a modern, effective and fit-for-purpose model for regulation and integrity as supported by Mr Murrphy in his report.*
  - *Mr Murrphy's clear recommendation for an Independent Panel of Stewards to be formed, to investigate some matters in his Review.*
  - *The establishment of an Equine Code of Practice for the care of thoroughbred and harness racehorses to be enforced under the Rules of Racing, as recommended by Mr Murrphy in his report.*
  - *Tasracing amended the Equity in Participation Policy (EIPP) in mid-April 2024. This has led to positive results with a greater variety of trainers and more competitive racing. As supported by Mr Murrphy in his report.*<sup>18</sup>
- 1.15 The *Racing Regulation and Integrity Act 2024* and the *Racing Regulation and Integrity (Consequential Amendments) Act 2024* took effect from 1 February 2025.<sup>19</sup>

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<sup>13</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 2.

<sup>14</sup> Final Report of the Short Inquiry into the Office of Racing Integrity, Legislative Council Sessional Committee on Government Administration B, Parliament of Tasmania, 27 September 2023.

<sup>15</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 2.

<sup>16</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 5.

<sup>17</sup> Submission No. 2, Minister for Racing, Hon. Jane Howlett MP, p. 2.

<sup>18</sup> Submission No. 2, Minister for Racing, Hon. Jane Howlett MP, p. 3.

<sup>19</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 2.

- 1.16 The Acts established the new Tasmanian Racing Integrity Commissioner role and the Chief Racing Integrity Officer, to be part of the Tasracing Racing Integrity Unit, replacing ORI. However, the Commissioner, Mr Sean Carroll, commenced earlier on 16 December 2024.<sup>20</sup>

## Appointment and terms of reference

- 1.17 On 16 October 2024, the House of Assembly Standing Committee on Government Administration B (the Committee) resolved to conduct a short inquiry into the Tasmanian Government's response to serious allegations within harness racing.
- 1.18 The Committee resolved to inquire into and report upon the following Terms of Reference: -
- (1) *The Murrphy Review;*
  - (2) *The Independent Stewards Panel;*
  - (3) *Licensing and warning off of participants;*
  - (4) *The performance of the Office of Racing Integrity; and*
  - (5) *Any other matters incidental thereto.*
- 1.19 The Committee's membership at the first meeting of the short inquiry was: Mr Simon Behrakis MP (Deputy Chair), Ms Kristie Johnston MP, Mrs Rebekah Pentland MP, Ms Cecily Rosol MP, Ms Rebecca White MP (Chair), the Honourable Dean Winter MP, and Mr Simon Wood MP.
- 1.20 On 12 February 2025, the Chair resigned as a Member of Parliament. In accordance with the Resolution establishing the Committee, then Leader of the Opposition, the Hon. Mr Winter MP, advised the Clerk of the House that he nominated Ms Haddad MP to serve as a substantive Member of the Committee to fill the resulting vacancy.
- 1.21 On 17 February 2025, Ms Haddad MP was elected as Chair of the Committee.
- 1.22 The Committee had not yet reported when the House of Assembly was dissolved, and Parliament of Tasmania was prorogued on 11 June 2025.
- 1.23 On 9 September 2025 the House established the Committee in the Fifty-Second Parliament. The new Committee was authorised to receive all evidence and papers of the former Committee.

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<sup>20</sup> Mr. Sean Carroll, Tasmania Racing Integrity Commissioner, Transcript of Evidence, 9 December 2025, p. 29.

- 1.24 On 24 September 2025, the Committee resolved that all evidence and papers received by the Short Inquiry into the Tasmanian Government’s response to serious allegations within harness racing, of the Fifty-First Parliament, be received by this Committee for its consideration.
- 1.25 The Committee’s first meeting for the Short Inquiry for the Fifty-Second Parliament was on 10 October 2025 with the following membership: Mr Rob Fairs MP, Mr Peter George MP, Ms Haddad MP (Chair), Mr Roger Jaensch MP, Ms Johnston MP (Deputy Chair), Ms Rosol MP, and Mr Winter MP (as a proxy for Ms Meg Brown MP).

## Conduct of the Inquiry

- 1.26 The Committee resolved to invite specific persons and organisations to make submissions and give evidence in relation to the Terms of Reference.
- 1.27 The Committee received nine submissions and held four public hearings at Parliament House, Hobart. The Committee heard from a total of 21 witnesses in both public and *in camera* hearings. A list of submissions can be found in Appendix A and lists of witnesses can be found in Appendix B.
- 1.28 The minutes of the Committee are attached as Appendix C, and a Glossary of relevant terms can be found in Appendix D. The Transcripts of Evidence are attached as Appendix E.

## Structure of this Report

- 1.29 This report consists of the following chapters reflecting the Terms of Reference:
- Chapter 1 provides a brief overview of the Short Inquiry.
  - Chapter 2 considers the development of the Terms of Reference for the Murrphy Review and matters related to the dissemination and publication of Mr Murrphy’s Final Report.
  - Chapter 3 presents evidence received regarding the Independent Stewards Panel.
  - Chapter 4 examines issues around licensing and warning off of harness racing participants.
  - Chapter 5 considers evidence received on the performance of the former Office of Racing Integrity.

- Chapter 6 presents evidence on other relevant matters presented to the Committee, including animal welfare concerns, workplace safety and compensation matters, and the Tasmanian Racing Appeals Board.

## 2 MURRIHY REVIEW

- 2.1 This Chapter considers the Murrphy Review, the process for determining its Terms of Reference, and the dissemination of the Final Report of Mr Ray Murrphy.
- 2.2 Mr Murrphy was contacted by the Committee to participate in the Short Inquiry by way of written submission or oral evidence. The Committee contacted Mr Murrphy several times, but he elected not to participate in the Inquiry.

### Evidence received

- 2.3 The Committee heard evidence from departmental representatives, the former Ministers for Racing, Hon. Madeleine Ogilvie MP and Hon. Felix Ellis MP, and harness racing industry participants regarding the development of the Murrphy Review's terms of reference.
- 2.4 At the 9 December 2025 public hearing, former Racing Minister Ogilvie provided evidence on Mr Murrphy's terms of reference:

*Ms OGILVIE - ... the terms of reference were released on 1 April 2023. That was soon after the allegations were raised in the ABC report. The terms of reference were prepared by the Department in consultation with the Department of Premier and Cabinet.<sup>21</sup>*

- 2.5 Mr Jason Jacobi, Secretary of Department of Natural Resources and Environment Tasmania (NRE Tas), gave evidence of his role in preparing the Murrphy Review Terms of Reference and that Mr Murrphy supported them:

*Mr JACOBI - ... I was largely responsible for preparing the terms of reference, and I engaged with Mr Murrphy on those terms of reference. On 31 March, I actually wrote to Mr Murrphy to seek his confirmation of the terms of reference for the review were appropriate. Now, I don't profess to be an expert in drafting terms of reference for these particular types of reviews, which is why I sought his advice when it was clear that he was going to be the nominated reviewer. Mr Murrphy confirmed his support on that same day for the terms of reference that were prepared.<sup>22</sup>*

- 2.6 Mr Jacobi read from emails he received from Mr Murrphy confirming Mr Murrphy's position on the terms of reference:

*Mr GEORGE - If I may say, I'm simply following up on the questions that Mr Winter and Ms Johnston have asked. It seems to me like it's a fairly straightforward yes*

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<sup>21</sup> Hon. Madeleine Ogilvie MP, as former Minister for Racing, Transcript of Evidence, 9 December 2025, p. 3.

<sup>22</sup> Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 December 2025, p. 4.

or no, just for my own clarity; if Mr Murrphy was happy with the terms of reference as provided by DPAC [Department of Premier and Cabinet] and by you, that's fine. If there was negotiation, it would be interesting to know what the background to it was.

**Mr JACOBI** - Look, let's just put an end to this and I'll read ad verbatim from an email that I've got.

**Mr GEORGE** - Sure, thank you.

**Mr JACOBI** - Mr Murrphy wrote to me in response to an email I wrote to him. His email is dated 29 March 2023 at 1.36 p.m.

*Jason, the terms of reference are fine. If you're able to send the final approved version when they become available.*

*Signed,*

*Ray Murrphy*

**Ms WILSON** - Then on March 31?

**Mr JACOBI** - Then on 31 March at 2.11 p.m., in response to a follow-up email that I wrote to Mr Murrphy checking that he was happy with the terms of reference:

*Seems fine, Jason, but do we perhaps need to stipulate the complaints regarding ORI management are also restricted to the past three years?*

*So that was in specific reference to a particular terms of reference...*<sup>23</sup>

- 2.7 In his responses to questions taken on notice, Mr Jacobi provided his email correspondence with Mr Murrphy which demonstrated there was a period of consultation on the Terms of Reference.<sup>24</sup> The email correspondence provided shows the original draft terms of reference, at points 1 and 3, required Mr Murrphy to determine if charges were warranted under the Australian Harness Racing Rules (AHR).<sup>25</sup>
- 2.8 The Committee notes that the final terms of reference required Mr Murrphy to determine compliance with the AHR.<sup>26</sup>

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<sup>23</sup> Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 December 2025, pp. 12-13.

<sup>24</sup> Additional information in response to Questions on Notice, Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, dated 13 January 2026, pp. 3-20.

<sup>25</sup> Additional information in response to Questions on Notice, Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, dated 13 January 2026, p. 5.

<sup>26</sup> Additional information in response to Questions on Notice, Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, dated 13 January 2026, p. 19.

- 2.9 At the 17 February 2025 public hearing, Ms Deidre Wilson, Acting Secretary of NRE Tas, provided evidence on the Department's expectations of Mr Murrhly in conducting his review.

*Ms WILSON - The Murrhly report was asked to look at what was in the terms of reference. The Murrhly review was a deliberately broad review because the ABC report aired information. Information and allegations are not evidence. The determination was made that there would be a broad-ranging inquiry that looked back three years to see if there were trends. That is an important step and that is how many other inquiries are undertaken in other jurisdictions. If you narrow the inquiry early, you may actually miss matters of importance to industry.<sup>27</sup>*

- 2.10 The Committee sought evidence on whether there was an expectation that, if necessary, Mr Murrhly could lay charges.

*Acting CHAIR [Mr Winter] - Was Mr Murrhly asked to lay charges?*

*Ms WILSON - If this was a broad-ranging inquiry which he undertook in accordance with his terms of reference - I would note that under the new Racing Regulation and Integrity Act, if the Commissioner undertakes an investigation or inquiry, then the same steps would be taken. They would undertake the investigation and inquire and then refer any matters to the appropriate authority to determine, either stewards or Tasmania Police, to undertake an investigation.*

*Acting CHAIR - A really simple answer, so I understand, if it's possible - was Mr Murrhly asked to lay charges?*

*Ms WILSON - He did what he was asked to do in terms of his terms of reference.*

*Acting CHAIR - So he wasn't asked to lay charges?*

*Ms WILSON - He was asked to undertake an inquiry, which was entirely appropriate because it was broad-ranging.*

*Acting CHAIR - But it's a really simple question. Was he asked to lay charges?*

*Ms WILSON - He was asked to undertake an inquiry because there was only information and evidence. As has been demonstrated through the Murrhly inquiry, he said 'Look at 15 races', so there was - in-defence - stewards panel looked at 15 races, and there was one which had sufficient evidence for charges.*

*Acting CHAIR - But was he asked to lay charges?*

*Ms WILSON - He was asked to undertake an inquiry in accordance with his terms of reference -*

*...*

*Ms JOHNSTON - Was he restricted from laying charges? Did the terms of reference restrict him from laying charges, prevent him from laying charges?*

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<sup>27</sup> Ms. Deidre Wilson, Acting Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 17 February 2025, pp. 38-39.

**Ms WILSON** - I actually - this was what he was asked to do. He was asked to undertake an inquiry. Inquiries then lead to recommendations and those recommendations can lead to referrals to the appropriate regulatory body. This is not an unusual proceeding. It happens in other jurisdictions.

**Acting CHAIR** - Did NRE expect that he would lay charges?

**Ms WILSON** - We expected him to undertake his hearings and inquiries in accordance with his terms of reference. And, you know - that's alright, I'll come to that - that's what we expected him to do. I think that it's important to note that some of the issues that came out of the Murrphy inquiry were not in the ABC report, so the broad-ranging inquiry actually led to new information coming forward. That is what can happen in inquiries across other jurisdictions. This is not an unusual process.<sup>28</sup>

- 2.11 The Committee enquired as to whether NRE Tas expected a two-stage process in relation to potential charges arising from the Mr Murrphy's review.

**Ms JOHNSTON** - Was the NRE's expectation at the time of issuing the terms of reference to Mr Murrphy that there would be a two-stage process, that there would be an inquiry and then later a separate panel process for the laying of charges? Did you anticipate that at the time when Mr Murrphy was initially engaged?

**Ms WILSON** - All I would say is that I wouldn't have said we'd anticipate an outcome of the inquiry. The government gave him broad ranging terms of reference that enabled him to undertake a thorough inquiry across races, both, not just those narrowed down from the ABC report; three years into the past plus animal welfare matters and matters incidental too. He was given a broad ambit to look at a range of issues across the industry and to then report to government.<sup>29</sup>

- 2.12 At the 14 March 2025 public hearing, the Committee received further evidence from Ms Wilson regarding the ability of Mr Murrphy to lay charges as part of his Review:

**Mr WINTER** - ...As I said during the last hearing - and we heard, after your evidence, from industry members - that they all had an expectation and believed that Mr Murrphy, as part of his review, would actually lay charges.

The question is - noting what the Chair quite rightfully said; he couldn't have known whether he would lay charges - was he asked to lay any charges if he felt it was required to?

**Ms WILSON** - Through you, Minister. I think that the question has been answered. It would be an unusual practice for an inquiry to then go to laying charges,

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<sup>28</sup> Ms. Deidre Wilson, Acting Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 17 February 2025, pp. 39-40.

<sup>29</sup> Ms. Deidre Wilson, Acting Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 17 February 2025, p. 40.

because an inquiry process is not the same as undertaking a hearing. A hearing requires natural justice, the capacity to interrogate witnesses, and it was clear from the terms of reference he was undertaking an inquiry, not a stewards panel process.

**CHAIR** [Ms Haddad] - That could still lead to charges.

**Mr WINTER** - I still haven't had my question answered. This will be –

**Ms WILSON** - Yes, upon referral, and then determination of the matter through a stewards panel. The only people who can undertake and lay charges under the Rules of Racing is a stewards panel.

**Mr WINTER** - He was sworn-in to be a steward, am I correct?

**Ms WILSON** - Yes, but it was an individual steward, not a stewards panel.

**Ms HOWLETT** - He was a panel of one, yes.

**Mr WINTER** - Okay. Was Mr Murrphy, at any point, asked to lay charges if he felt it was necessary?

**Ms WILSON** - I did indicate at the time - because I didn't manage that process, because it was dealt with through someone else in the agency, I didn't do that process - that our expectation was that he would undertake his inquiry and then determine if there were matters that needed further action, and he determined what action was required in his inquiry. He said that the way for this to be managed would be to have an independent stewards panel, and under the Australian Harness Racing Rules, a panel of at least two stewards is necessary in order to hear and investigate a matter relating to harness racing...<sup>30</sup>

2.13 Mr Murrphy's Final Report outlined the role of a steward in the harness racing industry:

*Stewards oversee all aspects of harness racing and harness race meetings in Tasmania to ensure that the rules are followed. They have statutory powers conferred by the Racing Regulation Act 2004 and their responsibilities include: declaring tracks safe for racing; inspecting animals, drivers and equipment; watching all races, and reviewing footage if a breach of the rules is suspected; monitoring wagering; and determining protests. Stewards have powers under AHRR 15 to direct and control, inquire into, hear and determine matters relating to the activities of officials, licensed persons and persons appointed, employed or engaged in any aspect of the harness racing industry, concerning the application of the rules.*

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<sup>30</sup> Hon. Jane Howlett MP, Minister for Racing, and Ms. Deidre Wilson, Acting Chief Operations Officer, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 14 March 2025, p. 12.

Stewards ensure integrity, safety and welfare. They investigate and, if necessary, penalise any provide breaches of the rules by participants. Inquiries draw upon evidence such as race vision, witness accounts, veterinary reports and wagering information. Respondents are given the opportunity to be heard on and defend any charge, and can appeal the final decision (in certain circumstances) to the Tasmanian Racing Appeal Board (TRAB).<sup>31</sup>

- 2.14 In his Final Report, Mr Murrphy outlined his appointment as a Senior Stipendiary Steward in Tasmania:

*To facilitate the independent investigation of these matters, Ray Murrphy was appointed as a Senior Stipendiary Steward, in accordance with the Racing Regulation Act 2004, and invested with the full powers and obligations of that position.*<sup>32</sup>

- 2.15 Section 51(1)(a) of the Racing Regulation Act 2004, in force at the time of Mr Murrphy's Review, provided:

**51. Appointment of stewards and other racing officials**

(1) The Secretary of the Department may, in accordance with this section, appoint

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(a) stipendiary stewards to enforce the Rules of Racing of one or more codes of racing...<sup>33</sup>

- 2.16 Having been appointed as a Senior Stipendiary Steward, Mr Murrphy was empowered to enforce the AHRRs. AHRR No. 15 empowers a steward to, among other functions:

(b) to entertain and determine all matters under question or in dispute at or arising out of a meeting or race, or concerning the meaning or application of these rules, or concerning any aspect of the harness racing industry;

...

(l) to provide reports and recommendations about or arising out of any inquiry, investigation or determination or upon any subject connected with the harness racing industry to the Controlling Body;

(m) to impose fines;

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<sup>31</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, Attachment 4, Final Report – Murrphy Independent Investigation and Review, p. 8. Accessed at: <https://nre.tas.gov.au/Documents/Final%20Report%20-%20Murrphy.pdf>.

<sup>32</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, Attachment 4, Final Report – Murrphy Independent Investigation and Review, p. 9. Accessed at: <https://nre.tas.gov.au/Documents/Final%20Report%20-%20Murrphy.pdf>.

<sup>33</sup> *Racing Regulation Act 2004* (Tas), s. 51(1)(a).

(n) to impose any other penalties provided for in these rules...<sup>34</sup>

2.17 AHRR No. 181 to 187 further sets out the conduct and scope of stewards' inquiries and investigations.<sup>35</sup>

2.18 At her appearance before the Committee on 14 March 2025, the Minister for Racing, Hon. Jane Howlett MP, clarified that she was not able to give evidence on the settling of Mr Murrhly's terms of reference:

*Ms HOWLETT – ... I was not the Minister for Racing during this period, so I'll not be able to provide any response as to the process or terms of reference to Mr Murrhly.*<sup>36</sup>

2.19 At the 4 April 2025 public hearing, Mr Justin Helmich, former Director of Racing at ORI, gave evidence regarding Mr Murrhly laying charges:

*Mr WINTER - Are you aware of whether Mr Murrhly was asked to lay charges if he felt that that was required?*

*Mr HELMICH - Chair, that all happened independent of me and appropriately independent of me.*

*Mr WINTER - Are you aware of whether Mr Murrhly was asked to lay charges in relation to any findings he made?*

*Mr HELMICH - Look, in relation to the Murrhly review, the only input that I've had into that is the evidence that I provided Mr Murrhly, and subsequent to that the reading of the Murrhly report. I don't have any other oversight.*

*Mr WINTER - Are you aware of whether Mr Murrhly was asked to lay any relevant charges?*

*Mr HELMICH - I think I've just answered that question.*

*Mr WINTER - I don't think you have. This is, I think, the 19th time I've asked it during these hearings. Are you aware of whether Mr Murrhly was asked to lay any relevant charges?*

*Mr HELMICH - I'm not aware of any discussions that occurred between the Department and Mr Murrhly. As I said, I was independent of that. It was independent of me and appropriately independent of me. As I say, I think I*

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<sup>34</sup> Harness Racing Australia, Australian Harness Racing Rules No. 14-20, Stewards. Accessed at: <https://www.harness.org.au/rules/STEWARDS.HTM>.

<sup>35</sup> Harness Racing Australia, Australian Harness Racing Rules No. 181-187, Inquires and Investigations. Accessed at: <https://www.harness.org.au/rules/INQRY.HTM>.

<sup>36</sup> Hon. Jane Howlett MP, Minister for Racing, Transcript of Evidence, 14 March 2025, p. 2.

*answered the question by virtue of the fact that I had no input into it. I'm not sure I can provide any more evidence for you, Mr Winter.<sup>37</sup>*

- 2.20 The Committee heard the perspective of Mr Andrew Jenkins, Chief Executive Officer of Tasracing, in relation to whether Mr Murrhiy should have been empowered to lay charges:

**Mr WINTER** - *Did you ever express a view that Mr Murrhiy should have laid charges?*

**Mr JENKINS** - *I did not.*

**Mr WINTER** - *Do you think he should have laid charges or been empowered to lay charges?*

**Mr JENKINS** - *I don't know. I can't really answer that question. That investigation, and ultimately the report, was entirely and appropriately separate from myself and Tasracing.<sup>38</sup>*

- 2.21 The Committee also received evidence from harness racing industry participants, who shared their expectations that Mr Murrhiy would lay charges as part of his investigation. In her written submission, Ms Janet Ainscow stated:

*Ray Murrhiy delivered and [sic] excellent report, and as he was a steward he should have been given the power to lay charges on the evidence he had.<sup>39</sup>*

- 2.22 Similarly, at the 17 February 2025 public hearing, Mr Stephen Devereux, Chief Executive Officer of the Tasmanian Trotting Club, gave evidence on his expectations of Mr Murrhiy laying charges as a part of his review:

**Acting CHAIR** [Mr Winter] - *...Did you have an expectation that Mr Murrhiy would be able to lay charges or would choose to lay charges if he found breaches?*

**Mr DEVEREUX** - *Yes. We thought that would be just part of the process. It was quite a shock to find at the end he handed down a report with no charges being laid...*

**Acting CHAIR** - *Did you raise these issues at a political level on behalf of the club, around the fact that charges weren't being laid? If so, what response did you get?*

**Mr DEVEREUX** - *We did, but that was the terms of reference it came down to, but who looks through all of them? We certainly didn't look at the whole terms*

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<sup>37</sup> Mr. Justin Helmich, former Director of Racing, Transcript of Evidence, 4 April 2025, p. 7.

<sup>38</sup> Mr. Andrew Jenkins, Chief Executive Officer Tasracing, Transcript of Evidence, 17 February 2025, p. 14.

<sup>39</sup> Submission No. 1, Janet Ainscow, p. 6.

of reference. Apparently it wasn't in there for Mr Murrphy to be able to lay charges, which seemed a strange way of going about it.<sup>40</sup>

- 2.23 Further evidence from industry participants expanded on community expectations and perceptions of the Murrphy Review. Mr Barrie Rattray detailed his perspective in his written submission:

*A significant amount of money was spent on this exercise. It was extensive, and performed by the most senior and creditable steward in Australia. At this point in time, a lot of the evidence and recommendations have been discarded, even the proven breaches (animal welfare, race treatments, inter-articulate injection). It seems ludicrous funds would be used in this way.*

*The number of races over which he had significant concerns was watered down to almost nothing. This industry's participants know those races, and many more like them, required action.<sup>41</sup>*

- 2.24 The Breeders, Owners, Trainers, Reinspersons Association (BOTRA) Tasmania reflected on their experience with Mr Murrphy during his inquiry:

*...we found this to be a thorough, fact-based report that comprehensively highlighted the issues. Our participants found Mr. Murrphy to be receptive and not rushed, allowing for a good hearing.<sup>42</sup>*

- 2.25 At the 9 December 2025 public hearing, the Committee received clarification from Mr Jacobi, Secretary of NRE Tas, about the process of how the Review Terms of Reference for Mr Murrphy were settled, and whether or not the laying of charges was considered.

**Mr JACOBI** - ...Mr Winter, I appreciate the number of times that you have asked this question, and I do apologise that I wasn't at the last hearing. I was on leave and Ms Wilson was acting as the Secretary at that time. I appreciate also that Ms Wilson made the best endeavours to respond to your question, but wasn't actually in a position to answer it. That is because Ms Wilson was not responsible for the drafting of the terms of reference. I was actually responsible.

**Ms WILSON** - Well, I helped with drafting, but I wasn't responsible –

**Mr JACOBI** - Ms Wilson helped with drafting, and wasn't responsible for any discussions with Mr Murrphy. The only person who I think can really answer your question is me, so I intend to answer it. I think it was probably unreasonable to continue to ask Ms Wilson an additional number of times to answer that question

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<sup>40</sup> Mr. Stephen Devereux, Chief Executive Officer, Tasmanian Trotting Club, Transcript of Evidence, 17 February 2025, p. 49.

<sup>41</sup> Submission No. 5, Barrie Rattray, p. 1.

<sup>42</sup> Submission No. 7, Breeders, Owners, Trainers, Reinspersons Association (BOTRA) Tasmania, p. 1.

when she wasn't able to. If you give me a minute, I will actually answer your question.

**Ms WILSON** - Thank you, Mr Jacobi.

**Mr JACOBI** - ... so in the period of time between - I think it was 28 March and 1 April - prior to that correspondence on 31 March, I had also engaged with Mr Murrphy, and Mr Murrphy did not request the power to lay charges.

I think it is really important in this matter - and I have given this a lot of consideration, because you have raised it so many times that I have turned my mind, again, to whether in fact it would've been appropriate for him to be asked to lay charges. And I would not do anything differently. In fact, I'm even more convinced that, given the very broad, sweeping nature of the allegations in relation to the harness industry, it would've been entirely inappropriate to have appointed Mr Murrphy as the judge, the jury and the executioner. That would have been the wrong thing to do, and I believe, in my heart, that this always had to be a two-stage process. Mr Murrphy needed to have terms of reference which were broad enough, but not too broad - broad enough for him to conduct a number of inquiries and receive anonymous and confidential comments from industry and from stakeholders and from animal welfare advocates, in relation to what was happening in the harness industry.

I believe, and I still believe, that to then in a terms of reference ask the same person to proceed with laying charges would have ultimately led to a case of a bias. That would've been challenged down the track, and it would've jeopardised the ability for any of those investigations to stick.

As you know, as soon as the Murrphy review was concluded, we did exactly what Mr Murrphy recommended in his report, which was to appoint an independent panel of stewards. We did that at arm's length from Tasmania. The normal thing would be for stewards in Tasmania to conduct many of these reviews, but we did it at arm's length, by appointing specialist experienced stewards from interstate. As you know, the time that it took them to delve into the specifics and to make their own inquiries in relation to all the allegations that were made was considerable. I don't believe that we would have received a timely and comprehensive, broad, sweeping review by Mr Murrphy had we, at any point in time, asked him to also lay charges.

Once again, I remain of the view that the two-stage process that we adopted was entirely appropriate, and Mr Murrphy confirmed with me at the time that he had no concerns with the way the terms of reference were drafted.

**Mr WINTER** - Just to clarify, no one at NRE, ORI or the Minister, at any point in time, asked Mr Murrphy to lay charges? Is that correct?

**Mr JACOBI** - I'm not aware of anybody asking Mr Murrphy to lay charges. I was the one having conversations with Mr Murrphy ultimately about the terms of

reference, and the final terms of reference that were announced on 1 April. I sought his advice as to whether those terms of reference were appropriate.

He had raised concerns with me about: 'If the scope of your responsibilities is too great, Jason, then you'll never finish this thing. If you want it conducted quickly and appropriately but diligently, I need to have a broad enough scope that enables me to make the enquiries that I require.' That's why I appointed him as a stipendiary steward, so he had some of those powers.

If we had also even contemplated having him lay the charges, then I come back to the fact that he would have been the judge, the jury and the executioner. I think that would've resulted in a significant bias in his investigations, which would've then been appealed, and would've then put at risk any of the charges that might have arisen from his review being laid.<sup>43</sup>

- 2.26 The Committee received further evidence on the reasons why Mr Murrehy, as an appointed steward, did not lay charges.

**Mr WINTER** - Mr Jacobi, do you understand that this is what stewards do? Stewards investigate, they lay charges against participants. That's standard practice for stewards. You've said that it would be inappropriate for stewards to be judge, jury and executioner, but in the former Office of Racing Integrity and now within the Racing Integrity Unit, that's how stewarding operates. How do you reconcile saying that it would've been inappropriate for Mr Murrehy to lay charges when stewards, as standard practice, investigate and then lay charges?

**Mr JACOBI** - Mr Winter, time and again over the last two years, you have mentioned both under parliamentary privilege and on the public record, on social media and outside of parliamentary privilege, your concerns about the integrity of the stewards in Tasmania. How do you think I could possibly put stewards in charge of an investigation when you have routinely raised concerns about their integrity? It would be entirely inappropriate.

The reason we appointed Mr Murrehy was because he was independent and experienced, and I gave him the stewards' powers, stipendiary stewards' powers, so that he had some of the powers under the previous legislative roles to make the enquiries that he needed to make.

We could have put a lawyer in charge of this particular review and, in fact, maybe in retrospect that might have been a good thing to have done. But at the time we wanted somebody who understood, in depth, the way the harness racing industry operated, and who could get to the bottom of the very broad allegations that were being made. I hope with my response, you understand why I took that position, but I don't think I really had any other option but to have an independent person conduct this inquiry.

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<sup>43</sup> Mr. Jason Jacobi, Secretary, and Ms. Deidre Wilson, Chief Operating Officer, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 December 2025, pp. 4-5.

**Mr WINTER** – No one suggested that you shouldn't have had an independent inquiry. What I asked was, do you acknowledge that stewards, every single day, investigate and lay charges? You've said that it would be inappropriate for Mr Murrphy to both undertake the investigation and then press charges, but do you understand that's what stewards do as standard practice?

**Mr JACOBI** - Mr Winter, I find your question so patronising. Of course I know that. I've been in charge of the Office of Racing Integrity for quite some time now. I know exactly what stewards do, and I know that every day, at every race, they make determinations. Those determinations that stewards so often make around particular matters that are clearly evident during the course of a race event - they are not like the nature of the allegations that were made in the ABC reporting, or subsequently in the conduct of Ray Murrphy's review. They were far broader than just what a particular trainer or racegoer - and I find you asking me that question a bit unusual.<sup>44</sup>

2.27 At the 9 December 2025 public hearing, former Minister for Racing, Hon. Minister Ogilvie MP, gave evidence on the powers given to Mr Murrphy:

**Ms JOHNSTON** - ...I understand that Mr Murrphy was appointed as an independent steward in this particular place, and I recognise that you wouldn't want someone within the Tasmanian context to be conducting that interview given the serious concerns around integrity that were raised in the ABC and by BOTRA. I'm struggling, however, Mr Jacobi, to understand the rationale for not providing Mr Murrphy with a full suite of powers that would normally occur.

I'm assuming that I won't get a different answer from you, Mr Jacobi, so I might ask my question of the Minister... Did you not inquire with Mr Jacobi or others in your office about the appropriateness of the terms of reference and whether it would be looking forward to the outcome of a report, the possibility that there might need to be charges laid? Did you ask questions about whether it would be appropriate to have that power given to Mr Murrphy?

...

**Ms OGILVIE** - Right. Two things were happening at that time. First, we were already starting to restructure the regulation of the industry, which is what we've landed now and it's working well, and we've made the appropriate appointments. A huge amount of work was already underway. I was comfortable with the approach we were taking with an independent report. I think Mr Jacobi is quite right when he says that an independent report that was so broad in scope, which is what people were asking for, was the course that we took.

I also agree that, for the rules of natural justice - which, I think you have some legal training, Ms Johnston, you will understand - given the scope of what it was,

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<sup>44</sup> Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 December 2025, pp. 5-6.

it is entirely appropriate that an independent steward's panel was appointed after that report.

To do an investigation, it's important that people feel free to come forward and speak and I think that the approach Mr Jacobi took was really helpful. In relation specifically to the final report - this goes to your question on the terms of reference. As I said this morning, they were developed in collaboration with the Department of Premier and Cabinet, they were based on advice, and Mr Murrhiy in his final report does make the following point and I refer you to page 9, you might like to have a look at it:

*The culmination of the ToR [terms of reference] is to provide a report to the Government. This investigation and review was not directed to lay and determine charges in respect of potential instances of non-compliance with the AHRR. The review has therefore not proceeded to determine formal charges and issue penalties.*

*That's the answer.<sup>45</sup>*

- 2.28 Minister Ogilvie confirmed that she did not ask Mr Jacobi to incorporate the power to lay charges into the terms of reference:

*Ms JOHNSTON - Just to be simple then, Minister, did you ever ask Mr Jacobi, 'Are the terms of reference appropriate to lay charges if we do need to at the end of this investigation and review period?'*

*Ms OGILVIE - No, I don't believe I did because that wasn't the purpose of the investigation. ... we have an operation and an entity that is able to lay charges and once the information is uncovered, it could have been dealt with in that way.<sup>46</sup>*

- 2.29 The Committee received evidence regarding the receipt and publication of Mr Murrhiy's Final Report by the Tasmanian Government.

- 2.30 At the 9 December 2025 public hearing, former Minister for Racing, Hon. Minister Ellis MP, gave evidence on when the Government received and announced Mr Murrhiy's Final Report:

*Mr WINTER - On 29 November [2023], you announced that you had received the final report from Mr Murrhiy, but it wasn't until 31 January [2024] that you released the final report. Can you take the Committee through the deliberations you were undertaking at that time and why it took more than two months for the report to be released?*

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<sup>45</sup> Hon. Madeleine Ogilvie MP, as former Minister for Racing, Transcript of Evidence, 9 December 2025, pp. 6-7.

<sup>46</sup> Hon. Madeleine Ogilvie MP, as former Minister for Racing, Transcript of Evidence, 9 December 2025, p. 8.

**Mr ELLIS** - Yes, that's right. So, we received the report 29 November [2023]. We issued a media statement advising the report has been received and that we were then considering the report and our commitment to a further statement regarding the report and its findings and to release the report in the future. As we have said at the time, that Government supported, in principle, all recommendations in the interim report from Mr Murrphy, noting that matters of industry competitiveness and code of practice are largely matters for Tasracing to consider within the integrity framework.

As we then mentioned, we will now consider all recommendations made against the terms of reference in the final report. Once this has occurred, a further statement will be made and the report will be available to the public. So, in the intervening period, appropriate advice was sought from NRE Tasmania over December and January on whether the report could be released in full without impacting on matters to be investigated and appropriate levels of procedural fairness.

Further advice was sought to support the formation of an independent stewards panel in accordance with the Australian Harness Racing Rules and the governing Racing Regulation Act 2004.

...

**Mr JACOBI** - ...Can I first correct the record? I may have misheard, but my understanding is that the final report was provided by Mr Murrphy on 28 November because I received a copy of the report on the 28th.

**Mr WINTER** - I said 29, I think - I don't know how- I might've missaid it.

**Mr ELLIS** - Yes, that's right. It was received 28 November.

**Mr WINTER** - So, it was received on the 28th and announced on the 29th.

**Mr JACOBI** - Yes, that's correct...<sup>47</sup>

- 2.31 The Committee heard that prior to Mr Murrphy's Final Report being published, the RSPCA and Biosecurity Tasmania were notified of aspects of it.

**Mr ELLIS** - ...I understand that on 5 January [2024], the Secretary of the Department of NRE wrote to the RSPCA and the General Manager of Biosecurity Tasmania concerning animal welfare matters in the report...<sup>48</sup>

- 2.32 The Committee heard further on why ORI, and particularly, Tasracing, were not provided access to the Final Report prior to publication.

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<sup>47</sup> Hon. Felix Ellis MP, as former Minister for Racing, and Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 December 2025, pp. 18-19.

<sup>48</sup> Hon. Felix Ellis MP, as former Minister for Racing, Transcript of Evidence, 9 December 2025, p. 19

**Mr WINTER** - I can see why you would let the RSPCA know as soon as possible, but what I'm trying to understand is why Tasracing wasn't afforded that same early advice. For example, as I understand it, the evidence we've heard is that Tasracing received, it may not have been this Committee, Tasracing received the final version of the report at the same time as the public did. Why is it that Tasracing wasn't provided with the report ahead of time, as other organisations like the RSPCA were, as well as the formation of the stewards' panel?

**Mr ELLIS** - I am happy to pass to Mr Jacobi.

**Mr JACOBI** - I'm not aware of anything in that report that warranted specific referral to Tasracing at that point.

**Mr WINTER** - Tasracing obviously did because they proceeded to then warn off the participants on 2 February [2024]. It went from two days later, they get a copy about midday, from my recollections, about midday on 31 January. By 2 February they were actively warning off participants named in the Murrhiy review. Obviously, they had a view that they had a role to play here. The question is why they weren't given it earlier?

**Mr JACOBI** - Again, I was acting on advice about the specific nature of the allegations and ensuring that before it was released publicly, and that includes to Tasracing and to ORI - because ORI wasn't provided with a copy of the report either until it was released publicly - that it was important that had full awareness of the implications to a future investigation by the Independent Stewards Panel once that document was made public.<sup>49</sup>

- 2.33 Former Director of Racing, Mr Helmich, maintained his position that the Murrhiy Review was entirely independent from ORI, and therefore it was not shared with it or him prior to its public release:

**Mr HELMICH** – I was an affected party obviously within that report and I was necessarily independent of it. I don't believe that I ever received a copy of that report prior to its release...

The report, as I understand, was the Premier's report. I think the Premier was the person who asked for that inquiry. Ultimately, I would receive that report once the Premier chose to release it to me.

...

I think this was a very extended process and a very extended review that went on. It, obviously, went on for some time. The actions that I took in relation to my team were business-as-usual. We will regulate in accordance with the rules, we will regulate in accordance with the Act on the circumstances that we have in

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<sup>49</sup> Hon. Felix Ellis MP, as former Minister for Racing, and Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 December 2025, p. 20.

front of us. If other circumstances came in front of us as a result of the review and the inquiry, then we would deal with those, but they never came to me.<sup>50</sup>

2.34 Similarly, Mr Jenkins, Chief Executive Officer of Tasracing explained:

**Mr JENKINS** – ...No, we did not have specific discussions with the Minister in terms of requesting Mr Murrhys's report to be made available. We understood that it was quite a complex investigation. We were in the hands of Mr Murrhys, ultimately, and those preparing the report. To answer your question, we did not specifically request or pressure for timing. We felt that it was appropriate for, as I say, quite a complex and serious investigation to run its course. It was entirely separate, as you would appreciate, from Tasracing. We had no role to play or influence.<sup>51</sup>

2.35 The Committee heard from Ms Deidre Wilson of NRE Tas on this matter:

**Acting CHAIR** [Mr Winter] -...In terms of the question here, who made the decision not to tell Tasracing or show Tasracing the Murrhys review for two months, between it being received by NRE and it being made public?

...

Ms Wilson, do you know who made the decision? Is that the Minister's decision or is that the department's decision?

**Ms WILSON** - I don't know the answer to that. All I can say is that I'm not sure of the intent of the question. The person who needed to be aware of the findings would have been the Director of Racing. The Director of Racing at that stage was the person who would look at the report to determine if any actions were taken; and the Director of Racing undertook the actions that Mr Murrhys indicated needed to occur.

...

**Ms JOHNSTON** - I'm curious as to the reasons for the two-month delay in releasing it publicly into Tasracing. You received the report. I assume, at some point in that two months, there was a decision to instigate an Independent Stewards Panel, but why did it take two months to do that, given the fact that the Murrhys report was quite a lengthy process and the concern that the industry and animal welfare advocates at the time were making very publicly about the need to bring this matter to a close? Why did it take two months before anything was released publicly before an Independent Stewards Panel was announced?

**Ms WILSON** - I wasn't managing that process, but what I can say is what I believe would have occurred, and I'm aware would have occurred, was that we would

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<sup>50</sup> Mr. Justin Helmich, former Director of Racing, Transcript of Evidence, 4 April 2025, pp. 12-13.

<sup>51</sup> Mr. Andrew Jenkins, Chief Executive Officer, Tasracing, Transcript of Evidence, 17 February 2025, pp. 12-13.

have needed to understand whether the whole report could be released or whether there was anything that could prejudice an investigation. That's actually really important to understand with these kinds of reports, just in first principles, and obviously getting the Independent Stewards Panel in place would have been important to ensure that the matters could be progressed as quickly as possible, but I think that's all I can say.<sup>52</sup>

- 2.36 In a response to a question taken on notice dated 31 March 2025, NRE Tas confirmed:

*From a search of the Department of Natural Resources and Environment Tasmania (NRE Tas) records, no individuals were provided with a copy of the Murrhiy Review Final Report between the Government receiving the Report and the Report being released publicly.*

*Following receipt of the Report by the Government, NRE Tas confidentially wrote to the Chief Executive Officer of the RSCPA Tasmania in relation to the animal welfare matters raised in the Report. This correspondence included excerpts of the findings in the Report.<sup>53</sup>*

- 2.37 At the 9 December 2025 public hearing, the Committee enquired about whether Tasracing should have been briefed prior to publication of Mr Murrhiy's Final Report to support the action taken to warn off named harness racing participants:

**Ms JOHNSTON** - *Can I ask the Minister, given what Mr Jacobi just outlined then that there was two to three days between the report being released publicly and Tasracing taking action to warn off those particular participants. I recognise what Mr Jacobi said about the need to put all your ducks in a row before you act. Do you think Minister, that it would have been appropriate to have perhaps given Tasracing, in confidence, a briefing on the findings so that they could get their ducks in a row? Tasracing, you could argue in their conduct on 2 February, I think it was, were trying to protect the industry's integrity and act swiftly to ensure that there wasn't mass concern about the ongoing integrity of racing in Tasmania. Do you think it would have been wise to have briefed Tasracing in confidence prior to the release of the report publicly, so they could have sought more legal advice, or better legal advice about what to do next, as a matter of urgency?*

**Mr ELLIS** - *Yeah. I mean, as we mentioned, we needed to work through a process to ensure that any action withstood scrutiny, particularly on appeal. We worked through that process in a diligent way, and we wanted to make sure that we delivered the appropriate outcomes for the racing industry. Certainly, the advice that we received about the importance of working through it in a thorough and*

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<sup>52</sup> Ms. Deidre Wilson, Acting Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 17 February 2025, pp. 42-43.

<sup>53</sup> Additional Information in response to Questions on Notice, Department of Natural Resources and Environment Tasmania, signed by Hon. Jane Howlett MP, Minister for Racing, dated 31 March 2025.

methodical manner - as far as referrals, I think the Secretary has already answered that, but happy to pass back to you, Mr Jacobi, if there's anything further to add.

**Mr JACOBI** - Just with your indulgence, Minister, and the indulgence of the Chair. I might just refer to Ms Deidre Wilson, who has a little bit more information about that.

**Ms WILSON** - When it came to the determination of the TRAB [Tasmanian Racing Appeals Board], there were two warning offs. There was the initial one, which was overturned by TRAB and the TRAB made a determination, or at least, they alluded to the fact that Tasracing may not have powers. Getting the Murrhiy report ahead of that decision would have made no difference to the TRAB, I think, considering the jurisdiction of Tasracing. That was a matter that had never been tested before. That went to the Supreme Court, the Supreme Court found that they did have standing. They then reissued, based on the advice of the TRAB, on natural justice principles and taking into account Supreme Court matters and the TRAB still overturned the warning off notice. The reason for that was, in their decision:

Accepting that the determinations relate to serious conduct, the limitations of those determinations as referred to in the Murrhiy report, together with the additional matters outlined in their decision, warrant a more cautious approach than that undertaken by Tasracing in issuing the warning off notices. The TRAB is not satisfied that those determinations with their limitations constitute sufficient grounds to exercise such power, particularly in light of the other circumstances and matters identified in these reasons.

The then Director of Racing would have been considering exactly the same matters that the TRAB just referred to. It's important to note that the then Director, subsequently issued a warning off notice when charges were laid by the Independent Stewards Panel, so he undertook action based on the relevant information when it was actually at the stage of charges, which the TRAB decision indicates was appropriate at the time.

**Mr JACOBI** - If I could, just for the record, I don't want my comments about ducks in a row to be misinterpreted; I wasn't suggesting Tasracing didn't have their ducks in a row. I was reinforcing how important it was, in order for an appeal to stick, you have to do a lot of due diligence, and that was one of the primary roles of the Independent Steward Panel was to run all those investigations right through to the very end.<sup>54</sup>

- 2.38 The Committee heard evidence on whether a better response to receiving and distributing the Murrhiy Report would have been to provide Tasracing with pre-publication access in order to develop a communications plan to address the widespread integrity issues:

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<sup>54</sup> Hon. Felix Ellis MP, as former Minister for Racing, and Mr. Jason Jacobi, Secretary, and Ms. Deidre Wilson, Chief Operations Officer, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 December 2025, pp. 22-23.

**Ms JOHNSTON** - I suppose my point is, Minister, Tasracing, on behalf of the entire industry, and you, as a Minister for the industry, on 31 January had a report released which was damning about integrity within the industry. Whilst the Department, as I understand, were undergoing steps in placing the Independent Stewards Panel and all that kind of thing, Tasracing were being called upon to do something. Now, they issued warning off notices, but would it not have been a good idea to have briefed them prior to that, to be able to put a communications plan? People were going to be betting within days of that report being released. Why would people be betting in the industry, if the integrity was in tatters? Surely, as Minister, you could understand that and as the Minister responsible for Tasracing you'd understand that Tasracing would need to at least have a communications plan about how to ensure that there is integrity or a sense of integrity within the industry?

**Mr ELLIS** - I suppose there's different ways that you can look at it, but certainly if the industry was provided advanced copies of the report, there would be some who would argue, of course, that that could potentially undermine the integrity of the report. There are a range of different factors that we had to consider at the time and acting on the best advice...<sup>55</sup>

- 2.39 The Committee heard further evidence on the risk of undermining the integrity of the industry if the Final Report had been released to Tasracing before the public:

**Mr GEORGE** - Going back to this two-month delay, it seems to me a very strong possibility that you thought that Tasracing having the document sometime over that two-month period meant you were worried about confidentiality and someone within Tasracing leaking it? Is that at least part of your thinking?

**Mr ELLIS** - I'm happy to pass over to the Department.

**Mr JACOBI** - No, that wasn't my thinking. My concerns were about maintaining the integrity of a future prosecution and appeal.

**Mr GEORGE** - Could you then explain why the integrity might have been undermined by the fact that Tasracing had the opportunity to review before publication?

**Mr JACOBI** - Again, I can't talk to legal advice that I receive because it's legal privilege, but if you read the actual Murrhly report –

**Mr GEORGE** - I have, yes.

**Mr JACOBI** - there was a whole range of allegations made, particularly around animal welfare, that we had not been aware of until Murrhly landed his report. There were certainly some specific animal welfare allegations that were very disturbing and I suppose they crossed over a number of different jurisdictional responsibilities, that of Tasracing and the Office of Racing Integrity at the time.

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<sup>55</sup> Hon. Felix Ellis MP, as former Minister for Racing, Transcript of Evidence, 9 December 2025, p. 24.

As the Minister has outlined, we clearly understood that the legislation at that time was not operating in the way it could have and that there were reforms that needed to be made, and I suppose it really boiled down to wanting to have the confidence that when the report was publicly released, we had done some work to get an Independent Stewards Panel in place and we had momentum to that. That wasn't easy to form, either. Finding three stewards or more from interstate jurisdictions who had the experience required and the powers that were necessary and were actually available, having stewards who could devote their time to that size of an investigation, took some time, and that was one of the reasons we didn't actually end up going public with the final report until the end of January [2024].

**Mr GEORGE** - I accept all that, I'm just curious. I can't see a rational reason why the integrity of the report and of your actions would have been undermined by taking Tasracing into your confidence about what was happening...

**Mr JACOBI** - Again, at the time Tasracing reported directly to the Minister. I didn't have a responsibility for Tasracing as the Departmental Secretary but I support the Minister's view on this. As the Minister has already outlined - and I don't think I need to go over it again - there were a lot of reasons and specifics in the nature of the allegations that required it to be carefully considered prior to being made public.

**Mr GEORGE** - Do you have anything to add to that, Minister?

**Mr ELLIS** - I think we've covered it reasonably well, Mr George, in terms of the thinking at the time. Given the strong concerns about integrity right across the industry - concerns about Tasracing, concerns about the Office of Racing Integrity and concerns about individual participants - it was important that the work was able to be established, be seen to be fair, and able to withstand scrutiny, particularly through an appeals process, and the more that document potentially provided privileged access to different parts of the industry which had broad concerns about the industry, it certainly could be argued that there would be a perception that it wasn't entirely independent. That was the thinking at the time. Obviously, Tasracing then took the action they did and work through a process with that.<sup>56</sup>

- 2.40 In response to matters taken on notice, Minister Ellis advised that while the Final Report was not provided to Tasracing immediately, matters from Mr Murrhys's Interim Report were raised between him and Tasracing.

*All matters related to Tasracing were contained in Mr Murrhys's provided interim report on 31 August 2023. All matters relevant to Tasracing were discussed at length with the Chief Executive Officer and Chair.<sup>57</sup>*

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<sup>56</sup> Hon. Felix Ellis MP, as former Minister for Racing, and Mr Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 December 2025, pp. 24-25.

<sup>57</sup> Additional information in response to Questions on Notice, Hon. Felix Ellis MP, as former Minister for Racing, dated 16 January 2026, p. 1.

## Findings

1. In developing the Murrphy Review's terms of reference, the Secretary of the Department of Natural Resources and Environment Tasmania liaised directly with Mr Ray Murrphy.
2. Correspondence received by the Committee in response to questions on notice shows an early draft of the terms of reference proposed to appoint the investigator as a steward with the ability to use the powers under the *Racing Regulation Act 2004*.
3. An email exchange between Mr Jason Jacobi and Mr Ray Murrphy shows that at least two early drafts of the terms of reference intended that Mr Murrphy have the ability to determine if any charges were warranted under the Australian Harness Racing Rules.
4. In evidence provided to the Committee on 9 December 2025, Mr Jason Jacobi said that Mr Ray Murrphy agreed to the terms of reference by quoting from email correspondence dated 29 March 2023 but omitted to tell the Committee that further material changes were later agreed between them.
5. The final terms of reference do not refer to the appointment of the investigator as a steward.
6. The final terms of reference replaced the ability for Mr Ray Murrphy to 'determine if there are any charges warranted' with 'determine compliance with the Australian Harness Racing Rules'.
7. The Committee does not have the evidence required to make a finding as to why material changes were made between the early and final versions of the terms of reference.
8. The Committee made multiple attempts to obtain further evidence from the Department of Natural Resources and Environment Tasmania, and notes the significant redactions in correspondence provided which may have been relevant.
9. Mr Ray Murrphy refused invitations to participate in the Inquiry.
10. Mr Ray Murrphy was appointed as a stipendiary steward under the *Racing Regulation Act 2004* and invested with the full powers and obligations of that position. At the time of his appointment, section 51 (1)(a) of the *Racing Regulation Act 2004* stated that stipendiary stewards are to enforce the Rules of Racing.
11. Mr Jason Jacobi gave evidence on 9 December 2025 that he believed it would not have been appropriate for Mr Ray Murrphy to be able to lay charges as it would have resulted in significant bias.

12. The Australian Harness Racing Rules provide the obligations and powers of stewards when conducting inquiries and investigations. Rule No. 15 outlines all the powers held by stewards and Rules No. 181-187 outline stewards' powers relating to inquiries and investigations.
13. As a steward, Mr Ray Murrphy held these and other powers under the Australian Harness Racing Rules.
14. The Department of Natural Resources and Environment Tasmania was of the view that the Murrphy Review was to be the first stage in a two-staged process, with the second stage involving a separate independent stewards' panel to investigate and lay charges pursuant to the Australian Harness Racing Rules, if warranted.
15. There were perceptions and expectations in the Tasmanian harness racing industry that Mr Ray Murrphy would lay charges pursuant to the Australian Harness Racing Rules if warranted. This expectation may have influenced people's participation.
16. There was insufficient communication about the powers and purpose of the Murrphy Review. This may have led to some people providing evidence to the Review under the false assumption that charges could be laid by Mr Ray Murrphy, if warranted.
17. The Minister for Racing at the time of the appointment of Mr Ray Murrphy, Hon. Madeleine Ogilvie MP, maintained that it would have been inappropriate for Mr Murrphy to lay charges as part of his Review.
18. The Tasmanian Government received the Murrphy Review Final Report on 28 November 2023 and released it publicly on 31 January 2024.
19. RSPCA Tasmania and Biosecurity Tasmania were notified of aspects of the Murrphy Review Final Report on 5 January 2024, prior to publication, while Tasracing and the former Office of Racing Integrity were not.
20. The Minister for Racing at the time of receipt and publication of the Murrphy Review Final Report, Hon. Felix Ellis MP, maintained that it was not appropriate to share the Final Report with Tasracing or the Office of Racing Integrity prior to its public release, so as not to impact ongoing investigations and to ensure advice was sought on releasing the Final Report in full.
21. On 16 January 2026, Hon. Felix Ellis MP provided evidence that all matters relevant to Tasracing from the Murrphy Review were contained within Mr Ray Murrphy's Interim Report.
22. The Committee's Inquiry was hampered by the unavailability of key witnesses and the reluctance of some government officials to provide direct, relevant answers to questions.

### **Recommendations**

1. That in all future reviews of this kind, the Tasmanian Government clearly communicate the intent and structure of the review, and the powers of the reviewer, to all participants and the public.
2. That Tasmanian Government departments assist and cooperate fully with parliamentary inquiries to the greatest extent possible.
3. That Parliament of Tasmania develop a clear set of guidelines and expectations as to how Tasmanian Government departments are expected to assist parliamentary committee inquiries.

### 3 INDEPENDENT STEWARDS PANEL

- 3.1 This Chapter outlines the process and outcomes of appointing the Independent Stewards Panel (ISP) following the findings and recommendations of the Murrhiy Review.
- 3.2 The members of the ISP were Mr Dayle Brown (Chair) (former Chief Executive Officer for Harness Racing Victoria), Mr Larry Wilson (former Chief Steward for the Queensland Racing Integrity Commission) and Mr Barry Delaney (with 45 years' experience as a steward across Victoria, South Australia and Western Australia).<sup>58</sup>
- 3.3 The Committee heard that the ISP contract was executed on 23 January 2024 and the direction from the Director of Racing was issued to the three panel members on 24 January 2024.<sup>59</sup>

#### Evidence received

- 3.4 The submission of NRE Tas summarised the process for which the ISP was appointed:

*In his Final Report, Mr Murrhiy recommended that the Government consider referring matters in his report “to an authorised appointee who is empowered to investigate specific matters and if deemed appropriate, proceed to lay and determine charges” (Ray Murrhiy – Final Report, page 10). To fulfil this recommendation and ensure that all investigations were independent of ORI or Tasmanian stewards, the Secretary of the Department of Natural Resources and Environment Tasmania (NRE Tasmania) appointed an Independent Stewards Panel.<sup>60</sup>*

- 3.5 Their submission further outlined the appointment, investigation, and outcome of the ISP:

*Under the 2004 Act, the Independent Stewards Panel (ISP) was appointed on 24 January 2024 and subsequently directed by the Director of Racing to undertake all necessary investigations pursuant to Australian Harness Racing Rules (AHRR) 181 to address the issues identified in the Murrhiy Review Final Report and determine if charges should be laid and, if applicable, apply appropriate penalties. The ISP comprised of Mr Dayle Brown (Chairman), Mr Larry Wilson and Mr Barry Delaney who have collectively 90 years' experience regulating harness racing in Australia...*

*The Director of Racing requested the ISP ensure its processes were legally robust, founded on the principle of natural justice and delivered to a minimum standard*

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<sup>58</sup> Submission No. 2, Minister for Racing, Hon. Jane Howlett MP, p. 3.

<sup>59</sup> Hon. Felix Ellis MP, as former Minister for Racing, Transcript of Evidence, 9 December 2025, p. 19.

<sup>60</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 3.

of proof being “on the balance of probability” articulated as the Briginshaw principle.

The ISP’s first report (10 May 2024) dismissed any suggestion of questionable race tactics in 14 of the 15 races identified by Mr Murrhiy. This provided timely support for the credibility of Tasmanian racing.

On 18 October 2024, the ISP released a Supplementary Stewards Report that detailed charges had been laid against Mr Ben Yole (AHRR 218A(1) and AHRR 196D(1)), Mr Tim Yole (AHRR 218A (1)), Mr Nathan Ford (AHRR 149(1)) and Mr Corey Bell (AHRR 187(2)). Penalties have been handed down in respect to Mr Nathan Ford and Mr Corey Bell. Mr Nathan Ford has appealed the ISP’s decision to the Tasmanian Racing Appeal Board (TRAB). Penalties are pending for Mr Ben Yole and Mr Tim Yole and have been delayed as a result of deliberations and further investigation by the ISP.<sup>61</sup>

3.6 The Committee heard evidence from Mr Robin Thompson, the Director of Racing at the time the ISP was appointed:

**Mr THOMPSON** – ... There was a process that allowed people to present their thoughts, ideas, allegations. There was no opportunity through the Murrhiy process to cross-examine witnesses... and it was no fault of Mr Murrhiy. He was gathering wide-ranging issues and then allowing them and recommending that they be addressed by a more formal stewards process.

If we look at what the formal stewards process is, they will do an investigation, they will give opportunity for witnesses to be brought forward, they will give an opportunity for witnesses to be cross-examined, they will give an opportunity to determine whether the evidence supports a charge and there’s opportunity for the respondent to respond to those charges and also to respond to penalty, et cetera, so it’s a very rigid process.

... I provided the directions to the Independent Stewards Panel and, really, it was to examine the issues identified by Mr Murrhiy, but also that there were two very, very important components to that direction. The first is that their process must follow natural justice, and it must be legally robust...<sup>62</sup>

3.7 In her submission to the inquiry, the Minister for Racing, the Hon. Jane Howlett MP, reflected on the ISP process:

I acknowledge that this has been a lengthy process but this is a legally robust and thorough Report and process that makes substantial findings. Significant charges under the Rules of Racing have been laid as a direct result of the actions the Government have taken.<sup>63</sup>

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<sup>61</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, pp. 3-4.

<sup>62</sup> Mr. Robin Thompson, former Director of Racing, Transcript of Evidence, 17 February 2025, p. 42.

<sup>63</sup> Submission No. 2, Minister for Racing, Hon. Jane Howlett MP, p. 3.

- 3.8 Industry participants shared their dissatisfaction with the process and outcomes of appointing the ISP. In his submission, Mr Barrie Rattray detailed the impact the duration of the investigation had on participants, noting at the time of writing his submission, 18 January 2025, the ISP had not concluded its work:

*It is incredible this report has not been completed. At another significant cost, these stewards were called in to asses [sic] a report by their senior and complete the process. This is still ongoing. The industry is in limbo awaiting the outcomes. Participants are wondering if this will be another case of “nothing to see here”.<sup>64</sup>*

- 3.9 This point was echoed in BOTRA Tasmania’s submission of 22 January 2025:

*Independent Stewards Report to our knowledge is still not finalized. Key matters of injectables either illegally administered and or inside the prescribed time and shocking behavior [sic] in the wash bay have not been resolved. Some of these matters have admissions of guilt. Why weren’t these matters given the highest priority? Why still no action?*

...

*With our own understanding of race tactics and those noted by Australia’s leading steward, Mr Murrehy, combined with the way Yoles’ [sic] housed, transported and frequently raced their horses, we feel let down by ISP.<sup>65</sup>*

- 3.10 Issues concerning evidence not being considered by the ISP were also raised with the Committee.

*Mr DEVEREUX – ...I spoke to the next lot of independent stewards and their problem was they had never heard any evidence. We went back through the whole cycle again and then we end up, two years down the track, with the gift that keeps giving, to be honest. It should have been wrapped up. Either way, if there are charges to be laid, lay them. Then get on with it.<sup>66</sup>*

- 3.11 Ms Ainscow provided evidence to the Committee regarding her experience raising complaints with Mr Murrehy that were subsequently not pursued by the ISP. In her written submission, Ms Ainscow outlined the following allegations related to Mr Ben Yole:

*A former employee (Employee “A”), came and saw me and made a signed statement, which was submitted to the Murrehy enquiry [sic], containing many allegations. These include:*

- (i) Cash in hand payments of \$15 per hour.*
- (ii) Witnessed horses being giving injections by Ben Yole.*

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<sup>64</sup> Submission No. 5, Mr. Barrie Rattray, p. 1.

<sup>65</sup> Submission No. 7, Breeders, Owners, Trainers, Reinspersons Association (BOTRA) Tasmania, p. 1.

<sup>66</sup> Mr. Stephen Devereux, Chief Executive Officer, Tasmanian Trotting Club, Transcript of Evidence, 17 February 2025, p. 49.

- (iii) *Witnessed horses tied in the wash bay with blinkers on, being whipped with driver's whip. Tim Yole was the person whipping the horses.*
- (iv) *Witnessed multiple horses fall when on the jogger, and being dragged. Wayne Yole was the usual driver of the jogger.*
- (v) *On race days, horses fed early in the morning and not fed again until the early hours of the next morning.*
- (vi) *Horses left on trucks for hours.*
- (vii) *Trucks had dividers removed so more horses could be loaded.*
- (viii) *An email lodged by another employee with ORI claiming drug use by Ben Yole, was forwarded from ORI to Ben Yole.*

...

*There is no mention of this person being interviewed by The Independent Stewards Panel.*

...

*The ISP had access to all of Ray Murrhy's information and recordings from witness testimony, they should have included that testimony in their decision making, especially when those witnesses were no longer available/left the industry.*

...

*Allegations concerning corruption within the industry were not investigated or if they were, suppressed.<sup>67</sup>*

- 3.12 During a public hearing, the Committee sought further evidence from Ms Ainscow in relation to her involvement with the ISP:

*Ms AINSCOW – I was given information that some stewards had TAB betting accounts, which stewards aren't allowed to have. When I received that information, it was just after I'd been interviewed by the Independent Stewards Panel. So, I rang Dayle Brown and I told him what I'd just received.*

...

*He was the Chairman of the Independent Stewards Panel. I told him exactly how this information was obtained and I asked him if he had the power to investigate it. He took down all the details and the phone numbers that were linked to the betting accounts. That was the last I ever heard of it.*

...

*There was another quite serious issue. This occurred when Mr Shinn was still the chief of harness racing. A person who worked part-time at the Yole property had*

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<sup>67</sup> Submission No. 1, Ms. Janet Ainscow, pp. 2-3, and 6.

observed drugs being given to horses. This person emailed the Office of Racing Integrity to give them the information about the drug administrations. That email was forwarded directly to Ben Yole himself with the person's name on it.

...

I have a signed written statement from an employee who was not interviewed by the Independent Stewards Panel who has considerable information that's very disturbing. I do believe this employee told me the truth because they had no reason to lie to me.

...

I am concerned that swabs have been either not analysed or not even sent... or results have been hidden if they have come through... I cannot believe, given the number of people who have testified, that – even Mr Yole admitted himself he had injected horses – where are the positive swabs?<sup>68</sup>

- 3.13 Another significant issue raised with the ISP investigative process was the cross-examination of witnesses who did not have legal representation. BOTRA Tasmania's submission outlined their concerns:

*Yoles' [sic] brought legal representation, Mr. Damian Seales, to several hearings. The ISP allowed cross examination of non-represented persons. It is alleged that this cross questioning was bullying and humiliating. At the very least it would have had a strong involvement in influencing an outcome more favorable [sic] to those with the benefit of representation (Yoles).*

*Legal pressure from the same source was also used to pressure whistleblowers Kent Rattray, Chester Bullock and Janet Ainscow to cease their complaints. This was very unsettling and threatening with the cost of defense being beyond many.<sup>69</sup>*

- 3.14 Ms Lily Blundstone provided the Committee with evidence of her interaction with the ISP:

*I met with two of the stewards when I was in Victoria housesitting. I gave them a recorded interview regarding The Ray Murrhy report, answering any questions they asked honestly.*

*I then had a phone call when I was back in Tasmania regarding a couple of follow up questions.*

*Then an email was sent asking me to attend an independent steward Interview August 14<sup>th</sup>, 2024, to which I went voluntarily because as I was not licensed, I did not have to attend.*

...

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<sup>68</sup> Ms. Janet Ainscow, Transcript of Evidence, 14 March 2025, pp. 33-34.

<sup>69</sup> Submission No. 7, Breeders, Owners, Trainers, Reinspersons Association (BOTRA) Tasmania, p. 1.

*My parents, Mark & Brooke Blundstone also had a phone conversation with Dayle Brown because they were concerned whether I should participate when they became aware that Ben Yole and his lawyer would be present when it was meant to be an inquiry regarding the Ray Murrphy report. He assured my parents that it would run by them, [by] the Stewards.*

*The stewards told me Ben Yole would be there and that Tim Yole would be present by video call. They also said Ben Yole would have a lawyer there.*

*I got a feeling after asking why Yole would have a lawyer there, that it was just to hear what I had to say; that the stewards themselves were just going through what I had said in my previous interviews.*

*At the start of the inquiry, the stewards asked me a couple of questions which had been previously asked, confirming everything...*

*Then the stewards tell me that Ben Yole's lawyer is going to ask me a couple of questions. I instantly thought that this was not what I was told prior to coming in but I have nothing to hide. I am only telling the truth!*

*Over an hour & a half later, I leave that room. It was the most awful thing I have experienced.*

*...*

*I was not expecting this at all and not once did the stewards pull the lawyer up.*

*...*

*I felt demoralised and regretted taking part in the interview.<sup>70</sup>*

## **Findings**

23. As recommended by Mr Ray Murrphy in his Final Report, the Secretary of the Department of Natural Resources and Environment Tasmania appointed an Independent Stewards Panel to investigate matters raised in the Murrphy Review, and to determine and lay charges pursuant to the Australian Harness Racing Rules, if warranted.
24. In the Independent Stewards Panel Interim Report dated 10 May 2024, concerns about questionable race tactics in 14 of the 15 races identified by Mr Ray Murrphy were dismissed.
25. There was significant dissatisfaction with the Independent Stewards Panel's investigation, with industry participants raising concerns about the length of time taken, evidence from the Murrphy Review not considered, and witnesses not interviewed by the Panel.
26. The Independent Stewards Panel's investigation would have been more comprehensive if all evidence from the Murrphy Review had been taken into consideration.

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<sup>70</sup> Submission No. 8, Ms. Lily Blundstone, pp. 1-2.

27. Significant concerns were raised about communication and natural justice during the Independent Stewards Panel's investigation. Concerns included allowing legally represented parties to cross-examine an unrepresented vulnerable witness without notice.
28. Lily Blundstone suffered emotional trauma as a result of her participation in the Independent Stewards Panel's investigation.

#### **Recommendations**

4. That in any future two-stage investigations of this type, provision be made that evidence received in the first stage can be considered in subsequent stages.
5. That the principles of natural justice are consistently applied in future investigations of this type.

## 4 LICENSING AND WARNING OFF OF PARTICIPANTS

- 4.1 This Chapter considers Government responses to matters arising from the licensing and warning off of harness racing participants in Tasmania.

### Evidence received

- 4.2 The Committee received evidence regarding the suspension of licenses and the issuing of warning off notices following the release of the Murrhiy Review and the charges laid by the Independent Stewards Panel (ISP). The submission of NRE Tas outlined the following:

*Upon charges being issued by the ISP, on 8 October 2024, the Director of Racing suspended the harness training license of Mr Ben Yole and the harness A Grade Driver License of Mr Tim Yole until the completion of the ISP process. Under the current 2004 Act and Rules of Racing, the Director of Racing has a statutory responsibility to make determinations regarding licences for people to conduct activities under the Rules of Racing. The Director applies the fit and proper [person] test as part of the license assessment process.*

*Following the release of the Murrhiy Report, Tasracing issued two warning off notices (to prohibit individuals from entering any specified racecourse or place under the control of the club or controlling body) to four participants. The initial warning off notice was overturned by the TRAB [Tasmanian Racing Appeals Board]. The Supreme Court subsequently upheld the right of Tasracing to issue such notices, but TRAB again upheld appeals by the participants against warning off notices.<sup>71</sup>*

- 4.3 The Committee heard from Mr Andrew Jenkins, Chief Executive Officer of Tasracing, in relation to the warning off notices issued by Tasracing:

*Mr WINTER - I publicly congratulated Tasracing for the action that you took because the reputation of Tasmanian racing really took a hit, unfortunately, due to what happened in 2023 with the reporting of the Murrhiy review. The concern I have is that we have the independent review, we have no charges laid, and we have those same participants continuing to participate, even though they'd been identified as having team driven, fixed races and beaten animals. Tasracing took its own actions by issuing warning off notices.*

*Mr JENKINS - Yes.*

*Mr WINTER - Was there any pressure put by the Minister or the Minister's office or the Government for you not to do that?*

*Mr JENKINS - No, categorically no. That was a decision that was taken by Tasracing as a recommendation of management and executive, including myself.*

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<sup>71</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 4.

*It was ultimately considered at a full meeting of the Tasracing board and unanimously supported. But no, I can state that there was certainly no indication, pressure or otherwise from the Minister or the Minister's office to not take the steps that ultimately the board approved be taken.*

**Mr WINTER** - *Is it true to say that Tasracing was disappointed that the Office of Racing Integrity did not act to take any action that would have prohibited those participants from participating, given the findings?*

**Mr JENKINS** - *Not so much disappointment, Mr Winter. All I can simply say that we as Tasracing felt that it was appropriate that strong action was taken. Decisions by the Office of Racing Integrity and the director are decisions for that body and that officer. Again, I won't make any comment or critique. I reiterate that Tasracing felt that it was important that strong action was taken and hence we did.<sup>72</sup>*

- 4.4 The Committee heard from Mr Jenkins regarding the communication between Tasracing and the then Minister for Racing, the Hon Felix Ellis MP, when the warning off notices were issued:

**Mr JENKINS** - *We didn't make representations per se... but as a courtesy, we provided advice to the Minister through her [sic] office once the board had made and supported management's recommendation to proceed with the warning-off notices. However, it was simply a courtesy, being that 'this is a decision of the board, this is what's going to happen as a result'.*

**Ms JOHNSTON** - *What was the Minister's office response to that, that courtesy notice?*

**Mr JENKINS** - *I really couldn't recall, but I certainly don't remember receiving any correspondence one way or the other. I daresay it was something that was noted, and given that there wasn't any objection, I can only assume that the Minister and her [sic] office were supportive of the action that Tasracing was taking.*

**Mr WINTER** - *Just to clarify, you said 'The Minister and her office'. I think at this stage that was Mr Ellis.*

...

**Mr JENKINS** - *You're quite right. Thank you. It was Minister Ellis. I apologise.<sup>73</sup>*

- 4.5 The Committee asked whether Tasracing had raised the concern that Mr Ben Yole was not a 'fit and proper' person in the advice provided to the Minister:

**Ms JOHNSTON** - *There was a lot of discussion about licensing and renewals of licensing and the Office of Racing Integrity's role in either revoking that licence or*

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<sup>72</sup> Mr. Andrew Jenkins, Chief Executive Officer, Tasracing, Transcript of Evidence, 17 February 2025, p. 13.

<sup>73</sup> Mr. Andrew Jenkins, Chief Executive Officer, Tasracing, Transcript of Evidence, 17 February 2025, p. 15.

suspension of that licence. That relies on a fit and proper person test, obviously, in relation to that. Has Tasracing made any representations, either then or subsequent to then, to the Minister's office about their views around fit and proper person for Yole Racing?

**Mr JENKINS** - We have not. No.

**Ms JOHNSTON** - Even when the warning-off notices were issued - in providing that courtesy notice to the Minister's office you obviously provided some information or background information as to why you took that quite unusual step of issuing a warning-off notice. That didn't include your concerns that Mr Yole wasn't a fit and proper person?

**Mr JENKINS** - No, not specifically. The action that was taken by Tasracing was related specifically to the matters that were considered in the Murrphy report, and the term 'fit and proper person' is extracted from the rules themselves. But Mr Murrphy's report didn't reference that terminology, hence it wasn't part of our briefing.<sup>74</sup>

- 4.6 At the 9 December 2025 public hearing, Mr Jacobi provided evidence on the warning off notices issued by Tasracing following the public release of the Murrphy Report:

**Mr WINTER** - Tasracing on 2 February [2024], did they announce they were warning off participants? Did they speak to you, Minister, ahead of making that decision?

**Mr ELLIS** - Happy to take that on notice in terms of the timeframe.

...

**Mr WINTER** - Perhaps then, to the Department, can you explain what the communications were between Tasracing and the Department during that period of time?

**Mr JACOBI** - Yeah, I can. I'm not aware of any communications between the Department and Tasracing. There may have been some communications between the specific team that I set up with the Murrphy review, but I'd have to go back and look at that and take that on notice. I think it is important to note that the particular warning off notices that were issued by Tasracing immediately following the release of the Murrphy report were overturned on appeal. This just goes to show and demonstrates the risk that, if you don't have your ducks lined up and have a comprehensive approach to how you intend to investigate a matter and prosecute it, you risk it being appealed. That was probably one of the most important concerns and considerations that I had from the very beginning of receiving the Murrphy report and the allegations that were made in that. There was a process that needed to be conducted by an independent stewards panel to

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<sup>74</sup> Mr. Andrew Jenkins, Chief Executive Officer, Tasracing, Transcript of Evidence, 17 February 2025, p. 16.

*run those allegations right through to a conclusion where an appeal could be held.<sup>75</sup>*

- 4.7 The Committee heard that Minister Ellis did not recall raising concerns about issuing warning off notices:

*Mr WINTER - So following that and the release - you may have already taken this on notice, but I'm really trying to understand that Tasracing aspect - did you raise concerns with Tasracing ahead of them issuing warning off notices?*

...

*Mr ELLIS - Not that I'm aware of, but I'm happy to follow up.<sup>76</sup>*

- 4.8 Minister Ellis provided further evidence on communications with Tasracing regarding the issuing of warning off notices in a response to matters taken on notice:

*The decision made by Tasracing on or before 2 February 2024 ahead of Tasracing's warning off of harness racing participants arising from Mr Murrhys's final report was a decision made by the company and would be more appropriately answered by them.*

*I was in regularly [sic] contact with TasRacing as Minister during this time but a search of office records during the relevant period does not uncover any specific details of communication on this decision.<sup>77</sup>*

- 4.9 Industry participants provided the Committee with their perspectives on the suspension of licenses and warning off notices issued following the release of the Murrhys Review.
- 4.10 The Committee heard Mr Stephen Devereux's evidence on what would have been an appropriate response for ORI in relation to Mr Ben Yole's continued participation in the industry:

*Ms JOHNSTON - Obviously, following the Murrhys report being released publicly in December, it took a very long time again for the Independent Stewards Panel to come to some conclusions and I think its work is still underway. What do you think would have been the appropriate response of ORI in that time, whilst the Independent Stewards Panel was conducting its work, in terms of allowing Mr Yole to continue participating?*

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<sup>75</sup> Hon. Felix Ellis MP, as former Minister for Racing, and Mr Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 December 2025, p. 21.

<sup>76</sup> Hon. Felix Ellis MP, as former Minister for Racing, Transcript of Evidence, 9 December 2025, p. 26.

<sup>77</sup> Additional information in response to Questions on Notice, Hon. Felix Ellis MP, as former Minister for Racing, dated 16 January 2026, p. 1.

**Mr DEVEREUX** - I think we made it fairly clear in some press we did. Now, if your job was to protect the industry, I wouldn't have thought how you couldn't stand someone down with those sorts of allegations in the first. And it didn't need to be warned off. I mean the Director could take your license at any time and put conditions on or whatever, and basically they sat back and did nothing. They were quite happy to let the – I mean there's a lot that happened when Tasracing threw a few warning-off notices around and that played its part in some of it, but to be honest, it was just another bad publicity stunt that the industry didn't really need.<sup>78</sup>

- 4.11 Mr Noel Salter, Chairman of the Tasmanian Trotting Club, gave evidence regarding ORI's power to revoke Mr Ben Yole's license:

**Ms JOHNSTON** - Do you think ORI had the power to revoke Mr Yole's licence on the basis that he brought the industry into disrepute and that would be an indication of he's not a fit-and-proper person?

**Mr SALTER** - Absolutely they have the power. There's a rule in the book. The rule is there in the rules [Australian Harness Racing Rules] that says that if you apply for a license or subject A applies for a license and is found to be not a fit-and-proper- person, they don't have to license it, and to be honest, they don't have to give a reason. All they have to do is say, 'We consider you're not a fit-and-proper person.' The rule is there and, as I've said earlier on, the rules are not being applied. It's as simple as that, but the rule is there, there is no question of that.<sup>79</sup>

- 4.12 Further concerns were raised with the Committee regarding the transfer of horses following the suspension of Mr Ben Yole's training license. Evidence received provided that the horses were transferred to Mr Wayne Yole but remained at the Sidmouth property:

**Mr WINTER** - The original issue for Wayne Yole is the transfer of horses from a suspended trainer. Is that correct? That he's not able to train out of the Sidmouth property or he wasn't able to until the stay occurred?

**Mr JENKINS** – The original consideration, as I understand it and mindful this is under signature of the acting Chief Racing Integrity Officer, but my understanding is that with Mr Ben Yole disqualified for a three-year period, that occupying a residence on the training facility where Mr Wayne Yole is running his operation is in breach of a specific Harness Racing Australia rule.<sup>80</sup>

- 4.13 Mr Jenkins gave evidence on whether Tasracing had raised concerns regarding the transfer:

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<sup>78</sup> Mr. Stephen Devereux, Chief Executive Officer, Tasmanian Trotting Club, Transcript of Evidence, 17 February 2025, p. 51.

<sup>79</sup> Mr. Noel Salter, Chairman, Tasmanian Trotting Club, Transcript of Evidence, 17 February 2025, p. 51.

<sup>80</sup> Mr. Andrew Jenkins, Chief Executive Officer, Tasracing, Transcript of Evidence, 17 February 2025, p. 21.

**Mr JENKINS** – I recollect we did raise concerns with the Office of Racing Integrity and the Director of Racing at the time...we felt that there were perhaps questions that should be asked in terms of care of the horses, the actuality of the transfer and so forth. Yes, I do recall we did query that with the Director at the time.

...

Ultimately, they were heard, but the transfers were facilitated.<sup>81</sup>

- 4.14 The Committee received evidence from Mr Robin Thompson, former Director of Racing, in relation to the transfer from Mr Ben Yole to Mr Wayne Yole, and the relevant horses remaining at the Sidmouth property:

**Mr THOMPSON** - It's not uncommon. It's in fact standard practice for horses to be transferred between trainers and between owners depending upon a number of circumstances at a time. One of which is that the current owner or trainer may no longer be operating in the industry, whether that be through choice or through an indiscretion against the rules of racing. Nothing unusual happened that wouldn't have happened to anyone else regarding the transfer of horses from Ben Yole to another person, who just happened at this time to be Wayne Yole.

...

At the training facility at Sidmouth, there are two very separate parts to the property. There's the domestic part of the property, which is a house and general surrounds, garden, where Ben Yole and his family reside. Then there is a separate, totally fenced off training facility which could be operated by anybody. Under, I think, Australia Harness Racing Rules for a disqualified person – which is exactly the same as a warned-off person – 259.6, there is discretion for stewards, director, to allow [a] disqualified person to do such things.

... Ben Yole was allowed to live in the domestic premises of the whole property, not to enter the training facility unless there was an emergency situation. The latter discretion that I enacted was that any entrance to the property was to be documented and provided to the controlling body, with some photographic evidence to support the reasoning for entering. When that was imposed in the first incident, Mr Yole was routinely inspected, by unannounced inspections which never found him in any part of the property other than the domestic property component of the property for which he was allowed to reside.<sup>82</sup>

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<sup>81</sup> Mr. Andrew Jenkins, Chief Executive Officer, Tasracing, Transcript of Evidence, 17 February 2025, p. 22.

<sup>82</sup> Mr. Robin Thompson, former Director of Racing, Transcript of Evidence, 17 February 2025, p. 32.

- 4.15 With the legislative reform undertaken following the Murrphy Review, the Minister for Racing, the Hon. Jane Howlett MP, reflected on the topic of licencing and warning off notices in her submission:

*My strong view as Racing Minister is only fit and proper persons should be able to participate in the racing industry. I will keep working hard to rebuild trust and restore faith in racing across all three codes – across all areas of integrity, and compliance.*

*The Racing Regulation and Integrity Bill 2024 was approved by this Parliament last year and clarifies and improves the licensing process including specific functions and powers of the Racing Integrity Committee, including its function of reviewing applications for licenses and registration in racing and giving advice and making recommendations to Tasracing about specific matters.*

*The Bill also empowers the Tasmanian Racing Integrity Commissioner to make recommendations regarding participants in the racing industry and to Tasracing about the implementation of, and compliance with, these standards including relating to licencing.<sup>83</sup>*

### **Findings**

29. There was no communication between Tasracing and then Minister for Racing, Hon. Felix Ellis MP, or the Department of Natural Resources and Environment Tasmania prior to Tasracing's decision to issue warning off notices to harness racing participants after the publication of the Murrphy Review Final Report, apart from notification of the decision as a courtesy.
30. There was a perception in the harness racing industry that the Office of Racing Integrity could have taken more proactive action on whether harness racing participants referred to in the Murrphy Review were fit and proper persons to hold a licence.
31. The Tasmanian Government responses to licensing issues include improved licensing and review processes under the new Racing Regulation and Integrity framework.

### **Recommendations**

6. The Tasmanian Government continue to identify potential improvements in harness racing licensing and implement them.

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<sup>83</sup> Submission No. 2, Minister for Racing, Hon. Jane Howlett MP, pp. 4-5

## 5 THE PERFORMANCE OF THE OFFICE OF RACING INTEGRITY

- 5.1 This Chapter considers the performance of the former Office of Racing Integrity (ORI) and its staff, in relation to its adequacy to maintain the integrity of the racing industry, and the Tasmanian Government responses to serious issues raised.

### **Evidence received**

- 5.2 The Committee heard evidence regarding concerns about the performance of ORI, former Directors of Racing, stewards, and ORI's complaints handling processes.
- 5.3 The Murrphy Review made findings and recommendations regarding ORI's performance. The submission of NRE Tas detailed actions undertaken by it in response to the Murrphy Review:

*Strengthening the complaints handling processes, policies and procedures within ORI, including clear policies and procedures on how complaints should be made and dealt with was one key focus area. In response in early 2024, NRE Tas updated and released its External Complaints Handling Policy and ORI updated its own complaints handling system, policy and procedure.*

*Other recommendations which have been acted on include the development of a mentoring program with stewards from other jurisdictions, a training program focused on race day reading, procedures and the Rules of Racing, and more comprehensive and transparent reporting on race day incidents.*

*The Murrphy Review also made findings pertaining to ORI staff performance and these were referred to NRE Tas's Secretary. The Secretary took the appropriate action required to further investigate and manage these findings.<sup>84</sup>*

- 5.4 In her submission to this Inquiry, the Minister for Racing, the Hon. Jane Howlett MP, acknowledged the Tasmanian Government accepted the Mr Murrphy's finding on the significant issues facing ORI, and expanded on the reform process, which then ultimately resulted in ORI's abolition:

*The Government accepted Mr Murrphy's finding that, "The current governance model fails to deliver adequately on transparency, accountability and performance. The pathway forward is detailed in the Monteith Review, whereby enforcement and policy are housed together, and the necessary safeguard put in place."*

*The Government noted the need for improvements to the Office of Racing Integrity (ORI) business systems, policies and processes. Some of this work has been completed, however the Government has taken action to abolish the ORI*

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<sup>84</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 5.

and overhaul the whole system with the appointment of the new Racing Integrity Commissioner through the Racing Regulation and Integrity Bill 2024.

*The establishment of an Integrity Unit within Tasracing also includes enhanced policies and procedures around steward investigations, auditing, information management and storage, and record keeping practices. All of which will be overseen by an independent Racing Integrity Committee with independent members and a chair which have been appointed by Government. This strengthened governance, oversight and integrity administrative practices will seek to address any structural and performance deficiencies seen within ORI.<sup>85</sup>*

- 5.5 The Committee heard evidence from harness racing industry participants about the scale of the serious issues in relation to ORI, including ORI's complaints handling process. Mr Barrie Rattray submitted an account of his previous interactions with ORI to raise concerns, and also of the impact of ORI's inaction on matters raised:

*As President of BOTRA, I have previously taken concerns to the Stewards and the Director of Racing with nothing being actioned. This seems to be the norm.*

...

*I have personal friends involved in the industry as owners and co-owners. They have enjoyed success over the years but also losses. The point they continually make is that whilst losing is an integral part of any racing industry, it should not be at the hands of those who continually break the rules and are not brought to task nor penalised under the regulations.*

*At this point in time they are seriously questioning their investment and involvement, which is not insignificant. Many others have already left the industry and will not return.<sup>86</sup>*

- 5.6 At the 17 February 2025 public hearing, Mr Noel Salter, Chairman of the Tasmanian Trotting Club, and Mr Chester Bullock, Chairman of the Launceston Pacing Club, shared their experiences with raising concerns with ORI, the Director of Racing, and the Minister for Racing:

**Acting CHAIR** [Mr Winter] - ... Did you ever sit down with the Director of Racing or Minister and raise the concerns directly about specific races?

**Mr BULLOCK** - I would have done along the way. I found that since the Tony Murray [former Director of Racing] day, there wasn't an avenue, really, to discuss that sort of thing openly with the – well, in fact, yes, going back, Barrie and I sat down with Mr Helmich and explained what we thought... The reaction

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<sup>85</sup> Submission No. 2, Minister for Racing, Hon. Jane Howlett MP, p. 4.

<sup>86</sup> Submission No. 5, Mr. Barrie Rattray, p. 1.

that we got at that particular time was, 'So what?', almost. It was making no ground. As I said, to go to the media wasn't my choice, really.

**Mr SALTER** - Just on that, if I can; I do recall at a meeting I was at with Felix Ellis when he was the Racing Minister and this subject was talked about in general. Wasn't any specifics, but we did have a conversation. I wasn't the only one in the room. It was at a Clubs Tasmania meeting and this particular subject was talked about with Felix. He showed concerns at the time. To be honest, we never got too much response, I've got to say, but it was raised.<sup>87</sup>

- 5.7 At the 14 March 2025 public hearing, the Racing Minister, Hon. Jane Howlett MP, provided evidence of how she and her office referred harness racing complaints to the appropriate regulator:

**Mr WINTER** - Thanks for being here, Minister. You mentioned you've had two stints as the Racing Minister and the Murrphy review occurred while you weren't there. However, a lot of the - in fact, most, potentially all - of the accusations that were investigated by Murrphy did occur whilst you were Minister. The reporting came out afterwards. We heard from very well-regarded racing identities, Barrie Rattray, Chester Bullock, and Stephen Devereux at our last hearings regarding some of the concerns that they had at the time while you were Minister the first time around.

Can you explain to the committee how you dealt with complaints? There was one example given where you went to Mr [Ray] Pullen's place for a meeting with concerned racing identities. Can you give us an idea of how many racing people came to you with concerns about stewarding and integrity, and what your response was to those?

**Ms HOWLETT** - I thank the Member for his question...I did actually meet with Mr Pullen and there was a group of trainers at his house at Brighton. My office has always provided any complaints to the appropriate regulator at the time. I am advised that the original complaint and allegation provided to me at Mr Pullen's house was appropriately referred to the Office of Racing Integrity and Director of Racing at the time.

It's clear that the former regulator at times did not handle complaints in a timely manner. Mr Murrphy himself commented in his report that the complaints handling process at the Office of Racing Integrity (ORI) was stilted and lacking in cohesion. I'm pleased that the Government's reforms have significantly improved on this and I thank the Commissioner and his office for their work. The Commissioner has now established a robust complaints management framework that sees racing complaints and concerns received, triaged, and overseen by the Commissioner's independent office.

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<sup>87</sup> Mr. Chester Bullock, Chairman, Launceston Pacing Club, and Mr. Noel Salter, Chairman, Tasmanian Trotting Club, Transcript of Evidence, 17 February 2025, p. 48.

**Mr WINTER** - In terms of that, we'll focus on that particular meeting with Mr Pullen. You referred the matters to the Director of Racing in the Office of Racing Integrity, but weren't the complaints actually about the Office of Racing Integrity and the Director of Racing - their failure to do their job?

**Ms HOWLETT** - No, that is not my recollection of the complaints from that day. I referred the complaints as I said to the Director of Racing, as I should and that was the option at that time. What I'm interested in, and what you should be interested in, is moving forward. That was in the past; this is now. We have new legislation in place and it's about the future of racing in this state.

**Mr WINTER** - This entire inquiry is actually about what happened and getting to the bottom of what happened during this time. The question is: were any of the concerns raised with you that day about the functioning of the Office of Racing Integrity?

**Ms HOWLETT** - I referred the complaints.

**Mr WINTER** - That's not the question I'm asking. I'm asking you if the complaints were about the Office of Racing Integrity and the Director of Racing.

**Ms HOWLETT** - I referred the complaints to the Office of Racing Integrity and to the Director of Racing.

**Mr WINTER** - My understanding is that the complaints were about the standard of stewarding and about the Director of Racing. These people are eminent members of the racing community. They've been everywhere they could. They went to the Minister as a last resort. Your response to them coming to you as Minister for Racing was to send them straight back to the people they'd already complained to. Can you see why this was just a circle of nothing happening?

**Ms HOWLETT** - Can you see why we absolutely needed to make legislative reforms?

**Mr WINTER** - And you didn't.

**Ms HOWLETT** - We certainly did. We've made the biggest legislative reform in decades.

**Mr WINTER** - That happened years later. This was occurring while you were Minister. There was no Murrhiy review at this stage.

**Ms HOWLETT** - I referred the allegations to the appropriate body.<sup>88</sup>

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<sup>88</sup> Hon. Jane Howlett MP, Minister for Racing, Transcript of Evidence, 14 March 2025, pp. 3-4.

- 5.8 At the 9 December 2025 public hearing, the Committee heard evidence from former Minister Ogilvie and Mr Jacobi regarding the referral of complaints raised by industry participants:

**Mr WINTER** - I want to start with the letter that you received on 9 September 2022, which is a letter from the Breeders, Owners, Trainers and Reinspersons Association (BOTRA) raising concerns about the standard of stewarding, amongst other things, and it recommended, at the end, an investigation of Roger Brown, a former steward, and Justin Helmich. Can you outline to the Committee what actions you took in relation to that recommendation that came from the harness racing industry itself?

**Ms OGILVIE** - To make sure that those who might be dialling in are aware that I addressed this matter at the time, so there is obviously a bit of information on the record, but I'm happy to do it again for the benefit of those who might be new to the discussion.

I'm informed that the Secretary referred the letter from BOTRA and the response provided by NRE Tasmania to Mr Murrphy and asked him specifically, in accordance with his terms of reference, to review each of the allegations raised, in particular the way in which the then Office of Racing Integrity (ORI) managed those complaints. Mr Murrphy provided advice and recommendations on complaints handling in his interim and final reports. I also note that Mr Murrphy, on page 36 of his final report found that:

*In the current system, the review finds an absence of any truly independent avenue to which to complain regarding matters involving ORI personnel, performance and accountability. This is a structural issue because of the way that ORI sits in the legislative regime.*

That significant structural issue has been addressed through the Racing Regulation and Integrity Act 2024. You will recall all the hard work that was done on that. With the Office of the Tasmanian Racing Integrity Commission now in place, the new Tasmanian Racing Integrity Commissioner, Mr Sean Carroll, would be best placed to talk to his complaints management improvements, which I understand are quite extensive.

**Mr WINTER** - The concerns raised at the time with you as the Minister were particularly around the standard of stewarding, but that was pretty extraordinary letter from BOTRA that suggested that there should be investigation into the Director of Racing and the Chief Harness Steward. Were there any actions taken, particularly at that time, to investigate either of those individuals?

...

**Mr JACOBI** - ...Yes, when we saw the BOTRA complaint, we immediately commenced investigations and I referred that matter to Mr Murrphy specifically for him to address in detail as part of his review.

**Mr WINTER** - Mr Murrphy wasn't appointed until six months later. Can you outline to the Committee what - you said 'immediate investigation' - what was the immediate investigation that predated Mr Murrphy?

**Mr JACOBI** - Well, there was nothing in the BOTRA letter that actually warranted a specific investigation other than through what Mr Murrphy would conduct as part of his review. There were complaints and management issues that were raised and I raised those directly with the then Director of Racing, Mr Justin Helmich, and complaints management improvements were made very soon after that BOTRA letter was received.

**Mr WINTER** - But quite specifically, the letter outlined concerns. It says, 'BOTRA has provided a written request and invitation for a stewards' representative to attend their AGM.' No steward, no answers were provided to written questions. It raises specific examples of what are considered to be concerning behaviour during racing and a failure of stewards to uphold racing rule 166, at least two specific examples that are considered to be against the Rules of Racing. Was there anything done to investigate those races themselves, and secondly, the reason why they hadn't been properly investigated in the first place?

**Mr JACOBI** - Mr Winter, I've attended this hearing twice now. This is my third time and I believe I've answered this question already a number of times.<sup>89</sup> The matters that were raised in the BOTRA letter were complex. They intersected with a number of different events and allegations made by a number of different representatives from the racing industry. They were of a complex nature that required and warranted being investigated by Mr Murrphy specifically as part of his review.

**Mr WINTER** - Yes, I understand that answer, but as I pointed out to you only a few moments ago, the allegations were received in September 2022, Mr Murrphy wasn't appointed and the terms of reference didn't come out until the 1 April 2023, which is a huge gap. You mentioned earlier that there was an immediate investigation and after having asked these questions, as you know many times, I'm still none the wiser as to what actually happened. That's the question. What did NRE or the Minister do at that point in time to investigate the allegations?

**Mr JACOBI** - Mr Winter, I did refer the concerns raised by BOTRA about the behaviour of stewards to the then Director, Mr Justin Helmich, and I understand you have also made inquiries –

**Mr WINTER** - But that's who the complaint was about.

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<sup>89</sup> The Committee notes that this was Mr Jacobi's first appearance before the Committee for this Inquiry.

*Mr JACOBI - No, that was one. There were a number of complaints made in that BOTRA letter. The complaints in relation to stewards were referred to Mr Helmich. He did have a role and a responsibility to address those particular complaints. They were referred to him and I have absolute confidence that Mr Helmich would have dealt with those complaints appropriately. In fact, I'm positive that he did.*<sup>90</sup>

5.9 In a response to matters taken on notice from the 9 December 2025 public hearing, Minister Ogilvie provided the Committee with a table of complaints received and actions undertaken during her time as Minister for Racing. There were 56 complaints recorded over the period from 4 March 2022 to 6 April 2023, regarding all three codes of racing.<sup>91</sup>

5.10 Also at the 9 December 2025 public hearing, the Committee questioned Minister Ellis on whether he had received allegations that harness racing participants were involved in drug trafficking:

*Mr WINTER - ... Minister, two of the participants named in the Murrilhy review have since been charged with various offences and extradited to New South Wales around a major crime syndicate. Were you ever made aware, during your time as Minister, or did any allegations ever come to you, of the Tasmanian harness racing industry being used by a drug cartel for the import and export of money and drugs in and out of the state?*

*Mr ELLIS - Happy to take that on notice. Certainly, there were concerns about illegal drugs in the industry - I think that's on the public record - in terms of cocaine and other illegal substances, at the time. Obviously, police investigate these matters in the usual way, just as they do with all other allegations of drug trafficking and other matters.*<sup>92</sup>

5.11 In response to these matters taken on notice, Minister Ellis advised that during his time as Minister for Racing, he did not receive any allegations of this nature, and therefore no referrals were made to Tasmania Police:

*I don't recall allegations of this nature being raised with me and a search of office records during the relevant period does not uncover any specific details of communication on this matter.*<sup>93</sup>

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<sup>90</sup> Hon. Madeleine Ogilvie MP, as former Minister for Racing, and Mr Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 December 2025, pp. 2-3.

<sup>91</sup> Additional Information in response to Questions on Notice, Hon. Madeleine Ogilvie MP, as former Minister for Racing, dated 13 January 2026, pp. 3-8.

<sup>92</sup> Hon. Felix Ellis MP, as former Minister for Racing, and Mr Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 December 2025, p. 27.

<sup>93</sup> Additional information in response to Questions on Notice, Hon. Felix Ellis MP, as former Minister for Racing, dated 16 January 2026, p. 2.

- 5.12 In discussing ORI's complaints handling process, particular concern was raised with the Committee regarding the performance of those in the role of Director of Racing.
- 5.13 At the 17 February 2025 public hearing, Mr Barrie Rattray advised the Committee that "nothing" had resulted from referring matters of concern, such as race fixing, to the Director of Racing.<sup>94</sup>
- 5.14 Mr Michael Castles, President of BOTRA Tasmania, shared a similar experience with the Committee:

*Acting CHAIR [Mr Winter] - Your organisation fairly famously moved no confidence in the Director of Racing; it would've been a couple of years ago now. The appointment of Directors of Racing out of departments or areas that had really nothing to do with racing - and former police officers. How much of an impact, if any, did the lack of knowledge from Directors of Racing about racing have on the stewarding quality?*

*Mr CASTLES - That's a good question because first-hand Barrie and I went and met these various directors and, on some occasions, we actually went through race films, slow-mo by slow-mo, pointing out issues that we saw that weren't reported in the steward's report and we felt deserved some attention. That's part of this small things becoming bigger things. Generally speaking, the directors didn't have any concept of that. By and large, you might accept that, but you think that would flow down to their people, the senior stewards in their various codes. But we didn't see that. We didn't get feedback after those meetings and I thought that was disappointing.*

*Acting CHAIR - So you've raised that with multiple Directors of Racing?*

*Mr CASTLES - Yes, in person.*

*Acting CHAIR - Did any of those result in any action or review of the race meetings or did they just take the feedback on board?*

*Mr CASTLES - They took the feedback. I don't know that I saw too much change.*

*Acting CHAIR - The race didn't get reviewed? I'm thinking of the Tasmanian Cup with the Bullys Delight decision and it ended up having a separate inquiry into it. Nothing like that ever came out of your concerns?*

*Mr CASTLES - No.<sup>95</sup>*

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<sup>94</sup> Mr. Barrie Rattray, Transcript of Evidence, 17 February 2025, p. 69.

<sup>95</sup> Mr. Michael Castles, President of Breeders, Owners, Trainers, Reinspersons Association (BOTRA) Tasmania, Transcript of Evidence, 17 February 2025, pp. 64-65.

- 5.15 Mr Salter also discussed the performance of those appointed to the role, highlighting their experience in the racing industry and understanding of the Rules of Racing:

**Acting CHAIR** [Mr Winter] - Perhaps it might be best to start there. Do you want to take us through the concerns you've had on the Office of Racing Integrity's functions over the course of the last few years?

**Mr SALTER** - ... One of the problems that we see is that quite a few years ago we started off in ORI with a Chairman of ORI called Tony Murray. He was moved on for whatever reason and that's in the past, so we don't need to deal with that. Since then, there has been something like six Directors of Racing. To be honest they've all been an abject failure and I say that without any worries whatsoever. The performance of them has been very ordinary. I suppose in their defence they weren't racing people. They've probably been parachuted into the position as public servants, I guess, but they basically have had no background in racing or anything like that. I know some of them had a background in policing and that sort of thing. However, that wasn't much good as integrity into racing and it certainly didn't do any good.

Consequently, because of these Directors of Racing, what's happened is the rules of racing have not been put in place or have not been followed. There's a rule book there and the rule book has not been followed. It's as simple as that And that has been the crux of most of the problems over the period of time.

**Acting CHAIR** - I will go to others, but on that do you have specific examples of where rules were not followed.

**Mr SALTER** - Just off the top of my head, Stephen.

**Mr DEVEREUX** - There are probably 100 of them.

**Mr SALTER** - Well, I'll give you a classic example of one of the things that happened is that I approached one of the Directors after a HIF (Harness Industry Forum) meeting in relation to a rule in the book which is to do with relegation of horses that happens if there is an infringement, a reasonably serious infringement I might say, in a race. The stewards do have the ability to relegate that horse from wherever it finished, be it first, second, third to the back of the field or whatever. I asked the Director of Racing at this particular meeting why this rule wasn't being implemented because in recent times there have been a couple of incidents that a lot of the people in the industry believed that maybe the relegation rule should have been used. In actual fact, what happened in a couple of them was that all there was was a fine or they might have been suspended for a couple of race meetings or something like that. That's just one

example. When I approached the Director of Racing about it, to be honest, he looked at me blank looking and said 'What's that?'<sup>96</sup>

- 5.16 Ms Janet Ainscow, a former harness racing steward with ORI, provided the Committee with evidence regarding the performance of stewards and the Director of Racing, with a particular concern raised with her in relation to team driving:

**Mr WINTER** - In the case of Riley [a pseudonym], can you run us through what happened in terms of Riley coming to you first and how you communicated that interaction with the Director of Racing and then went back -

**Ms AINSCOW** – Yes. The person known as 'Riley' in the ABC report is a harness racing driver. That person spoke to me and told me about the race-fixing and that they were told to basically team drive, how to team drive, what horses to let through and what horses not to let through.

I reported this to Justin Helmich. This was in May 2022. I asked Riley would they give the Office of Racing Integrity a written statement about what they had told me. Riley's response was yes, they would give a written statement. Some months passed and I ran into Riley again, and I said, 'did the Office of Racing Integrity contact you?' and Riley said, 'no, I've never heard from them.'<sup>97</sup>

- 5.17 Ms Ainscow told the Committee of another attempt to engage with ORI, where she made a report to the then-Director of Racing, Mr Thompson, that included photographs of horses at the Yole property:

**Ms AINSCOW** - ... I got the feeling in the end, especially towards the end, it was a waste of my time reporting stuff to the Office of Racing Integrity. I even arranged with the person who had taken horrific photographs, which I know you have seen -

**Mr WINTER** - I have.

**Ms AINSCOW** - Robin Thompson wouldn't acknowledge that they were from the Yole Racing stable. He said there was no proof. I found out who took the photos. I made contact with them, I went around and saw that person and I organised a meeting with that person. They agreed, and I had them on speakerphone with Robin Thompson to have a meeting and present those photos, because they were in that person's phone, they were date stamped, location stamped. Of course I recognised all the landmarks, because I live there. A meeting was arranged, but Mr Thompson refused to give this person anonymity and so the meeting fell over.

**Mr WINTER** - So the meeting never occurred?

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<sup>96</sup> Mr. Noel Salter, Chairman, and Mr. Stephen Devereux, Chief Executive Officer, Tasmanian Trotting Club, Transcript of Evidence, 17 February 2025, pp. 46-47.

<sup>97</sup> Ms. Janet Ainscow, Transcript of Evidence, 14 March 2025, p. 30.

**Ms AINSCOW** - The meeting never occurred. But those photographs, I still had copies of them. I was given copies of them. I submitted them –

**Mr WINTER** - You've seen them and I've seen them, but can you describe for us the photos, what they showed?

**Ms AINSCOW** - There are injured horses. The one that really sticks in my mind is there's a horse standing in mud with blood oozing out of its pasterns, from probably infection or being in wet conditions all the time. That really sticks in my mind. There was another occasion where there was a horse that was clipped off, and this is winter –

**Mr WINTER** - Yes. The horses were owned or trained by - who were they trained by?

**Ms AINSCOW** - Ben Yole.

**Mr WINTER** - At Sidmouth?

**Ms AINSCOW** - These were all Ben Yole's Sidmouth horses, yes. There are horses with various injuries, and –

**Mr WINTER** - And you were confident that these horses were at Sidmouth?

**Ms AINSCOW** - Oh, absolutely - because the person who took the photos showed them to me in their phone. As I say, they were all date stamped and location stamped, and apart from the fact that the landmarks in the photographs are easily recognised by myself because some of them happen to have things from my own property in the photographs, so I could see that they were definitely at that Yole property.<sup>98</sup>

- 5.18 Ms Ainscow gave further evidence on her feelings of being dismissed by ORI by providing another example of reporting serious issues in harness racing, as well as the impact of being a whistleblower:

**Mr WINTER** - How do you think this has impacted you - being a brave whistleblower and having blown the whistle internally, then to the media when you didn't get anywhere? What's been the impact on you personally, since you blew the whistle?

**Ms AINSCOW** - Well, the impact I could say may have been negative as far as my finances were concerned, but positive in the fact that, after I spoke to the media, the number of people who contacted me within the harness racing fraternity, who gave me support and have continued to support me, has been phenomenal. I'm really grateful for their support. They also developed, I believe, a fair bit of trust in my integrity and, as such, came forward and reported things to me that I

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<sup>98</sup> Ms. Janet Ainscow, Transcript of Evidence, 14 March 2025, pp. 29-30.

don't think would have ever been reported, including the administration of drugs to horses by various people.

**Mr WINTER** - They reported to you, instead of to another steward because they trusted you?

**Ms AINSCOW** - Yes. That's correct.

**Mr WINTER** - Are you able to talk about some of the outcomes from that reporting?

**Ms AINSCOW** - I was given information that Mr Nathan Ford had applied cocaine sublingually to horses prior to racing, which does improve performance. When I was given that information, I reported it to the Office of Racing Integrity.

**Mr WINTER** - Do you know approximately what date this was?

**Ms AINSCOW** - Would have been, probably, 2023.

**Mr WINTER** - Do you know what the outcome of that was?

**Ms AINSCOW** - I never heard any outcome.

**Mr WINTER** - Do you know if there was an inquiry or any investigation?

**Ms AINSCOW** - I don't know, apart from me telling them that I was given that information. Another bit of information, a person contacted me –

**Mr WINTER** - Who did you actually tell?

**Ms AINSCOW** - I think I reported it to Justin Helmich at the time.

**Mr WINTER** - The Director at the time?

**Ms AINSCOW** - Yes. I usually - I only ever report things to the Director.

...

**Mr WINTER** - And you don't know that anything happened?

**Ms AINSCOW** - I don't know if anything happened. I got the feeling that me reporting stuff was irrelevant. They didn't want to hear from me. That's what I felt.<sup>99</sup>

- 5.19 At the 4 April 2025 public hearing, the Committee received evidence from Mr Helmich, former Director of Racing, who responded to allegations raised by Ms Ainscow, in evidence heard at previous hearings:

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<sup>99</sup> Ms. Janet Ainscow, Transcript of Evidence, 14 March 2025, pp. 27-29.

**Mr HELMICH** - ... There have been many allegations made, most of them have been dealt with through the inquiries. However, there are some new claims that I'm aware have been made through this inquiry that I think need to be addressed.

...

In her evidence before this Committee, Ms Ainscow testified that in 2023, she was given information that Mr Nathan Ford had applied cocaine to horses sublingually prior to racing, and that doing so improves performance... she gave evidence to this Committee that she reported that information to me. She indicated that she only ever reports things to the Director, that she did so by email, and that she had that in writing. She indicated in her evidence that no-one ever came back to her and that no-one ever asked her where that information came from. She also testified that she got the feeling that reporting stuff was irrelevant and that the Office of Racing Integrity didn't want to hear from her.

... I have searched my records. I could not find any email from Ms Ainscow on this issue... I did, however, find other records of this issue, and they do not accord in any way with the evidence provided by Ms Ainscow. I'm aware that Ms Ainscow provided information referred in her evidence to a cadet steward on 1 October 2023 whilst at the Devonport thoroughbred meeting, and followed that up with another member of ORI on 2 October 2023 by email. As a matter of interest, the horse in question that was alleged by Ms Ainscow to have been given cocaine was reported as being a horse by the name of Ruby Baby, which was the winner of race 2 at Launceston on Sunday 3 September 2023.

... the email indicated that an unnamed person had witnessed cocaine being placed under the tongue of a horse. The case was entered into the Office of Racing Integrity investigation management system, which is a system called COMTRAC, as case CR23000143. I believe that I became aware of the issue through an email on 2 October 2023 at 11.35 a.m., having been forwarded such by the Principal Stipendiary Steward, Mr Ross Neal.

On the same date, at 11.53 a.m., I directed that several actions be undertaken in relation to the issue by the stewards. As a result of that direction, it's my understanding that on 2 November 2023, two stewards attended Ms Ainscow's residence in relation to this and another issues that she has raised, specifically that a greyhound participant, Mr Anthony Bullock, was allegedly working for Ben Yole whilst [Mr Bullock was] disqualified. As I understand, an audio-recorded statement was taken from Ms Ainscow by the stewards. In this statement, Ms Ainscow provided the name of the original informant. The informant was contacted by Ms Ainscow at the stewards' request, and the informant agreed at that time to be interviewed by the stewards at Ms Ainscow's property on 9 November 2023. On 8 November 2023, the informant called the stewards and declined to be interviewed. I left the Office of Racing Integrity before the matter was fully resolved, but I understand it was finalised. However, in my professional opinion it would be extraordinarily difficult to proceed without the alleged eyewitness to the matter.

As a sideline issue in relation to the other reason that the stewards attended Ms Ainscow's premises, this attendance related to a complaint that Mr Bullock, at the time a disqualified greyhound participant, was working for Ben Yole driving the jogger. Ms Ainscow had been definitive in her viewpoint, offering to provide a statutory declaration that the person was Anthony Bullock. Upon attending Ms Ainscow's premises on 2 November 2023, it's my understanding that Ms Ainscow identified a person who was driving the jogger at that time as Anthony Bullock. Stewards attended the Yole premises and identified the person who was driving the jogger as another licensed participant, not Mr Anthony Bullock. Broadly, in relation to Ms Ainscow's claims that her allegations were dismissed, I reject that assertion.<sup>100</sup>

- 5.20 Mr Helmich provided evidence regarding the issue of whether racing industry experience is required to undertake the role of Director:

**Mr WINTER** - ... What experience did you have in racing before you became the Director of Racing? Had you been to the races before? Had you been involved in the industry in any way?

**Mr HELMICH** - Specific to my role as the Director of Racing, as I said in my opening statement, I've got 30 years of experience as a regulator within a government and a law enforcement environment.

**Mr WINTER** - Had you been to the races before?

**Mr HELMICH** - I had been to the races before, yes.

**Mr WINTER** - What was the level of your involvement in racing before you took on the role?

**Mr HELMICH** - I would say it would be low.

**Mr WINTER** - Do you think that lack of experience in racing made it more difficult to perform in that role? How would you think about - if someone was thinking about taking on a role like that in the future, would you recommend that they did a role like that without having experience actually in racing?

**Mr HELMICH** - Chair, I don't consider that experience in racing is required to be the Director - to undertake the role of the General Manager of the Office of Racing Integrity or the Director of Racing. The importance around the role, from my perspective, is the capacity to undertake regulatory activities.<sup>101</sup>

- 5.21 The Committee received evidence on Mr Helmich's experience with complaints handling in his role as Director of Racing, as well as the process he undertook to manage concerns raised to him:

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<sup>100</sup> Mr. Justin Helmich, former Director of Racing, Transcript of Evidence, 4 April 2025, pp. 2-4.

<sup>101</sup> Mr. Justin Helmich, former Director of Racing, Transcript of Evidence, 4 April 2025, p. 4.

**Mr WINTER** - In a lot of the cases that we've heard, particularly from the participants... was that they were frustrated at the performance of stewards and raising issues and trying to elevate them. At some points they raised it all the way to the Minister. I assume they elevated things to your level. Can you tell us the approximate number of times that participants tried to elevate issues around racing integrity to you? What processes did you go through when they did that?

...

**Mr HELMICH** - ...it would be difficult for me to say. It would more than 10. I can probably provide that. Other than that, I think I'd be guessing. I wouldn't like to put information on the record here that's not accurate. Mr Winter, the second part of your question was what?

**Mr WINTER** - What was the process you went through - given you've outlined that you had experience as a regulator in other industries, but not much in the racing industry. Obviously, the participants are coming to you with specific issues about race tactics or that sort of thing. When they're elevating issues above the stewards to you, what process did you go through to ensure that their concerns were being properly heard?

**Mr HELMICH** - The standard process, Chair, would be that I would seek counsel from a steward independent of the issue that was the subject of the concern. Under normal circumstances that would be the Principal Stipendiary Steward. Throughout the majority of my time at the Office of Racing Integrity that was Mr Ross Neal. There were few instances where I had to go outside of that process where Mr Neal was indeed on the panel. I should say there were very few instances where that occurred. I would seek Mr Neal's counsel and his advice in relation to whether or not there were issues with the stewards' analysis of a race.

The important thing to consider here from my perspective is that there is a detailed framework and a really clear framework, talking from a first principles perspective. There's a detailed framework under which the Director of Racing operates - or operated under the previous legislation - regarding what action could be taken by the Director in instances where there was a perception from a member of the public or a participant in relation to what action can be taken. There is no capacity for the Director of Racing to overrule those types of matters. That really is the purview of the Tasmanian Racing Appeal Board.<sup>102</sup>

- 5.22 The Committee received evidence from harness racing industry participants regarding the performance of stewards within ORI. Mr Salter gave evidence to the Committee:

**Acting CHAIR [Mr Winter]** - Do you have confidence in the stewarding? Do you have confidence in our current stewards to uphold the racing rules?

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<sup>102</sup> Mr. Justin Helmich, former Director of Racing, Transcript of Evidence, 4 April 2025, pp. 4-5.

**Mr SALTER** - No. Not at the moment.

**Acting CHAIR** - Is it a competency issue or an integrity issue, or both?

**Mr SALTER** - Probably both. However, I know that the ordinary trainer out there and the ordinary driver out there in the stable and that, they're not overly confident in the integrity of the industry, how it's been administered. Stewards are not looked on favourably - they haven't been forever and a day, but just at the moment they're not looked on all that favourably. As I said at the start, surely, if these stewards are not doing their job, they ought to be moved on.<sup>103</sup>

- 5.23 Mr Rattray also gave evidence on confidence in the stewards and hopes for the new integrity framework:

**Acting CHAIR** [Mr Winter] - Do you have confidence in the stewards?

**Mr RATTRAY** - At this point in time, I do not. Maybe, in the stewards' defence, that's because of the way the Appeals Board has operated in the last half a dozen years. Sadly, the whole industry has a lack of confidence in the way that the integrity has gone.

**Acting CHAIR** - ...What should be the next steps in terms of increasing the standard of stewarding as part of the new body?

**Mr RATTRAY** - Somebody at the head of the operation, which, hopefully, we have, to take a strong hand on these matters and to bring those things into line. I heard earlier that you spoke about the rule book. Almost everything is contained in that rule book. There is little way to squirm your way out of anything if you abide by the rule book.

**Acting CHAIR** - Has everyone been abiding by the rule book?

**Mr RATTRAY** - I would say no to that question.

**Acting CHAIR** - Is it an issue with the stewards that they don't understand the rules or they're not competent to deal with it or is it an integrity issue? Or is it both?

**Mr RATTRAY** - The relaxation of the rules over a number of years has been such that insignificant things have led to more significant things.<sup>104</sup>

- 5.24 Ms Ainscow's submission contained allegations of misconduct against the former Chief Steward of Harness Racing, Mr Steven Shinn, including tampering with swabs.

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<sup>103</sup> Mr. Noel Salter, Chairman, Tasmanian Trotting Club, Transcript of Evidence, 17 February 2025, p. 59.

<sup>104</sup> Mr. Barrie Rattray, Transcript of Evidence, 17 February 2025, p. 63.

- 5.25 Mr Shinn responded to Ms Ainscow's allegations in a written submission and at a public hearing of the Committee:

*I was never stood down from my position as Chief Steward-Harness in Tasmania. I have never been found to have misconducted myself in my role as Chief Steward-Harness in Tasmania regarding the handling of swabs or anything else.*<sup>105</sup>

- 5.26 Ms Ainscow provided evidence to the Committee outlining her response to complaints in her role as a steward. She alleged that in her pursuit to see ORI act upon these complaints, she was ultimately taken off the harness racing roster and investigated for breaching the Code of Conduct:

*In May, 2022, I reported verbally to Mr. Justin Helmich, that a Harness driver had told me that they were told to "team drive" by Yole Racing. That driver's testimony is recorded in the ABC Interview, where that person was given the name of "Riley" to protect their identity. I also became increasingly concerned about the welfare and conditions in which the horses were being kept at the Yole property. I supplied photographs to Justin Helmich and invited him to come to my property to view the conditions for himself. Justin Helmich arrived at my property, in the company of Ross Neal, on the 6<sup>th</sup> July 2022. This first thing they said to me was **"We are not going to sack you, but we are taking you off the Harness Racing Roster."** It was effective immediately.*

...

*In September 2024, the Dept of NRE started an investigation into me on the bases [sic] of "Alleged Breach of the Racing Stewards Code of Conduct". This is based on 6 Facebook posts made in a Private Forum. The Verity Group was commissioned to carry out the Investigation.*<sup>106</sup>

- 5.27 The Committee heard evidence from Mr Helmich regarding his decision to take Ms Ainscow off the harness racing roster:

**Mr HELMICH** - *It's my view that a conflict of interest was enlivened as soon as Ms Ainscow made the decision to post on social media in relation to the Ben Yole Racing stables. The fact that she is a direct neighbour exacerbates that issue. It was my decision and it's my view that it was the correct decision. The Australian Harness Racing Rules prohibit a steward from having a conflict of interest, and in my view this was a clear conflict of interest. Those same rules require that a steward with a conflict of interest must be removed from their position as a steward under the Harness Racing Rules by the controlling body. As the Director of Racing, I was the controlling body in relation to harness racing.*

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<sup>105</sup> Submission No. 9, Mr. Steven Shinn, p. 3.

<sup>106</sup> Submission No.1, Ms. Janet Ainscow, pp. 1-2, 6.

Ms Ainscow was offered other duties in the tri-code arrangement. To clarify what that is, the Office of Racing Integrity undertook integrity duties across all three codes of racing: the greyhound racing code, the thoroughbred racing code and the harness racing code. Ms Ainscow declined, as was her right under the employment contract, to undertake duties within the greyhound racing code. If posed with the same issue again, I would make the same decision again.<sup>107</sup>

5.28 Mr Helmich further stated:

**Mr HELMICH** - I don't think the fact that she was a complainant had anything to do with it. The fact that she was a neighbour exacerbated that issue from my perspective. The reason for her to be taken off the harness racing roster was because she had a conflict of interest and I was required under the Rules of Racing to take action.<sup>108</sup>

5.29 In reflecting the performance of ORI, NRE Tas's submission asserted that:

*... despite in-depth scrutiny of the industry and ORI in the last three years, no findings of corruption or deliberate inaction by stewards of ORI have been found, nor has any race fixing allegations by industry members been substantiated.*

...

*A full review of the records has verified the animal welfare matters (wash bay, tongue tie, and administration of substances) had not been the subject of a formal complaint to ORI prior to the Murrhiy Review.<sup>109</sup>*

5.30 Under the new legislative framework for racing, Tasracing is now the employer of stewards in Tasmania. Mr Andrew Jenkins, Chief Executive Officer of Tasracing, advised the Committee on the transfer of stewards following the abolishment of ORI:

**Mr WINTER** - ...How many of the stewards from the Office of Racing Integrity have transferred over to Tasracing and how many have not and, thirdly, and you might want to take it on notice, how many have transferred to Tasracing and then already left the role?

**Mr JENKINS** - All stewards bar one have transferred over and remain employed under their current instruments of employment, whether that be on a permanent basis or we operate quite a large casual pool of stewards. We've also supplemented our existing pool of stewards with some highly qualified and experienced interstate stewards over the summer racing festival. We thought it was prudent to signal it's a new era in racing integrity come the establishment of the enacting of the Act on 1 February [2025]. We also think it's positive to have

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<sup>107</sup> Mr. Justin Helmich, former Director of Racing, Transcript of Evidence, 4 April 2025, pp. 2-3.

<sup>108</sup> Mr. Justin Helmich, former Director of Racing, Transcript of Evidence, 4 April 2025, p. 10.

<sup>109</sup> Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 4.

*fresh sets of experienced eyes coming into the cohort of stewards and providing some observation, advice and coaching.*<sup>110</sup>

5.31 Mr Jenkins confirmed that Ms Ainscow was the only steward that did not transfer from ORI.<sup>111</sup>

5.32 The Committee heard evidence of Tasracing's view of the performance of ORI:

**Mr WINTER** - *Is it fair to say that Tasracing had a view that the Office of Racing Integrity was not functional during periods of the last two years?*

**Mr JENKINS** - No.

**Mr WINTER** - *Is it fair to say that Tasracing raised concerns about the performance of the Office of Racing Integrity over the course of the last two years?*

**Mr JENKINS** - *Not specifically, Mr Winter. There may have been occurrences where I, or management, may have had an alternative view, perhaps, to decisions that were made within the Office of Racing Integrity by the Director, or potentially a steward. We might discuss those as a matter of course as a management team or, indeed, with the Minister's office. I would need to take that on notice and check my records as to whether there was a specific concern or item that was referred for consideration. I can't recall specifically.*<sup>112</sup>

5.33 Mr Jenkins provided additional information in response to this matter taken on notice:

***Did Tasracing raise concerns about the performance of the Office of Racing Integrity over the course of the last two years? (Mr Winter)***

- *Jan 24 COO to DOR Yole's Workers Compensation [W/C]*
- *Feb 24 (multiple emails) COO to DOR re workers compensation agreement with third party agreement with labour hire company ceasing*
- *March 2024 COO to DOR requesting status on Yole's W/C arrangements*
- *March 2024 (multiple) COO to DOR re Yole's arrival time for race meetings*
- *March 2024 COO to DOR re approval to allow Mr W Yole to train from Valley Road Sidmouth and w/c arrangements*
- *March 2024 COO to DOR re transportation of horses by Yole Racing*
- *March 2024 COO to DOR re Yole Warning Off Notices*

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<sup>110</sup> Mr. Andrew Jenkins, Chief Executive Officer, Tasracing, Transcript of Evidence, 17 February 2025, p. 26.

<sup>111</sup> Mr. Andrew Jenkins, Chief Executive Officer Tasracing, Transcript of Evidence, 17 February 2025, p. 26.

<sup>112</sup> Mr. Andrew Jenkins, Chief Executive Officer, Tasracing, Transcript of Evidence, 17 February 2025, p. 16.

- o July 2024 COO to DOR concerns re arrival time on course of Yole Racing<sup>113</sup>

5.34 Minister Ellis commented on the deficiency of racing integrity structures at the time of publishing Mr Murrphy's Final Report, and that ORI needed to be abolished:

*Mr ELLIS - ...Probably the other thing to note, Ms Johnston, is that the racing integrity structures that we had at the time were deficient; that was the finding of the Monteith report. That was why we acknowledged that we needed to abolish the Office of Racing Integrity and establish the new Tasmanian Racing Integrity Commissioner and so we worked through a process. It was a challenging time in the industry and we acknowledged that. It's also exactly why we acted and delivered the legislation that's now passed through the House and I think quite broadly supported. Racing will hopefully benefit from those additional powers and better structures in the future...*<sup>114</sup>

5.35 Mr Sean Carroll, Tasmanian Racing Integrity Commissioner, gave evidence to the Committee about his office's current complaints load, including outstanding complaints relating to harness racing included in the Murrphy Report:

*Ms JOHNSTON - Mr Carroll, you said in your opening statement that 117 formal complaints had been received since [commencing] your time as Commissioner. Are you able to tell the Committee if any of those relate to the issues regarding harness racing that were canvassed by Mr Murrphy's report?*

*Mr CARROLL - Yes.*

*Ms JOHNSTON - And are they ongoing matters that you're investigating?*

*Mr CARROLL - Yes.*<sup>115</sup>

5.36 The Committee heard from Mr Carroll about how ORI managed complaints and the level of dissatisfaction from complainants:

*Ms JOHNSTON - In relation to those complaints, I think you said there was a number of complaints that the ongoing investigation that arose from the Murrphy matters weren't canvassed. Are you able to say whether those complainants had previously made attempts to complain to the Office of Racing Integrity and didn't have their complaint dealt with, or the transition to the new office interceded? Is*

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<sup>113</sup> Additional Information in response to Questions on Notice, Tasracing, dated 2 April 2025, p. 1.

<sup>114</sup> Hon. Felix Ellis MP, as former Minister for Racing, and Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 December 2025, p. 24.

<sup>115</sup> Mr. Sean Carroll, Tasmanian Racing Integrity Commissioner, Transcript of Evidence, 9 December 2025, p. 33.

it something you're aware of, that those matters have been previously raised and it's now just a new form with a new structure?

**Mr CARROLL** - I think it's fair to say that some of those complaints had been made previously and there was a level of dissatisfaction as to how those complaints had been dealt with in the past. The reality is that that may be a management style. Some of those complaints had been dealt with. I don't know what communication had been given to those people who had made the complaints as to the outcome or not. One of the issues I faced when I first started was that some people had stated they hadn't received any result or feedback to their complaints. That's why we've put in place a rigid complaints framework now to make sure that people are updated as to the status of their complaint and what the outcome is.

**Ms JOHNSTON** - In terms of your investigations, do you have full access to records from ORI in terms of what they've done previously and correspondence and things like that? If you're dealing with issues with people who haven't had a response back from their original complaint to ORI or whatever it might be, do you have full access to that information?

**Mr CARROLL** - We have received a significant amount of information. I don't know whether it's all the information or not but it's what's being provided to us. It's fair to say - and I think I've said this in other committees I've appeared before and in Estimates - that we're looking at upgrading our intelligence and case management system to meet the needs of a busy racing industry that can analyse information that comes in and assist investigations as to what the outcome should be or, more importantly, assist in providing targets as to what areas should be concentrated on. The information that we had previously in the system that was in place didn't allow that to occur.<sup>116</sup>

5.37 Mr Carroll commented on Ms Ainscow's allegation that stewards held betting accounts:

**Mr WINTER** - We heard evidence from Janet Ainscow, a former steward, earlier this year, and there were a number of allegations made here... Following on from those allegations, you conducted the investigation that found that five stewards were conducting gambling on racing whilst they were stewards and actions were taken and they've been removed from their roles. Can you outline to the Committee how your investigation was conducted, how you found that they'd been conducting betting and any other information the Committee might be interested in?

**Mr CARROLL** - It would probably be inappropriate for me to go into the details of the investigation because some of those things we don't want to make public, but what I can say is that that we conducted an extremely thorough audit of all

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<sup>116</sup> Mr. Sean Carroll, Tasmanian Racing Integrity Commissioner, Transcript of Evidence, 9 December 2025, pp. 35-36.

wagering service providers that provide services to the Australian markets on all members of the Office of Racing Integrity for a period of time - I don't want to declare that period of time - and found out which ones had wagering accounts and which ones didn't. In fairness to some of those stewards and employees, some of those stewards had established wagering accounts so they could watch in real time variances in the markets, which is a really important part of stewarding, but there'd been no wagering activity on those, so putting the direct allegations made by Ms Ainscow aside, there were some stewards who had betting accounts similar to the allegations made by Ms Ainscow but didn't have any wager activity on them.

**Mr WINTER** - Is it an offence to just have an account, or is it not a problem to just have an account?

**Mr CARROLL** - No, correct, and what probably wasn't clear is whether that provides a conflict of interest or not. We've tightened the conflict of interest policy within Tasracing as to what declarations have to be made and what don't. From that, when we had wager activity we would conduct an investigation. I don't want to go into details of the parameters of those investigations, but we would speak to various people associated with those accounts. We interviewed the stewards concerned, looked at what days they were working, whether there was any connection to stewards inquiries that were held regarding those races and whether we felt there was any impropriety to the bets they made compared to the races they were working on. We provided those results to Tasracing and then they made the employment decision.

...

**Mr WINTER** - ... You've undertaken analysis and found five of the stewards have been betting on races. Are you aware of whether the Office of Racing Integrity had ever conducted any investigations? To your knowledge, have they ever made any investigation like that?

**Mr CARROLL** - Going through documents held in my office, I believe that some of the allegations were raised and questions were asked of stewards. I can't say whether they were detailed investigations or not, but to my understanding there was no further analysis done of any wagering accounts or anything like that.

**Mr WINTER** - Do you think it's appropriate that questions were asked but there was no analysis done?

**Mr CARROLL** - I can't speak on their behalf, but what I would say is I'm very comfortable with the investigation we've conducted.<sup>117</sup>

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<sup>117</sup> Mr. Sean Carroll, Tasmanian Racing Integrity Commissioner, Transcript of Evidence, 9 December 2025, pp. 32-33.

- 5.38 The Commissioner provided clarification on the stewards found to have betting accounts.

*Mr GEORGE - To be clear in my mind, those five stewards to which we were referring who had gambling accounts and had gambled, were names that had been raised under the former Office of Racing Integrity and which you have taken forward - is that correct?*

*Mr CARROLL - No, they weren't names that had been raised in any complaint previously.*

*Mr GEORGE - Right, so these were complaints, that have been raised since you were in office.*

*Mr CARROLL - We had made a decision after consultation with Tasracing to conduct a wagering audit of all accounts and as a result of that audit those accounts came up as having waged on races.<sup>118</sup>*

### **Findings**

32. The Murrirhy Review found significant systemic and structural failures of governance and integrity in the former Office of Racing Integrity.
33. The Office of Racing Integrity and Racing Ministers received complaints from harness racing participants about integrity matters arising from dissatisfaction with stewarding.
34. The original complaint-handling framework was structurally flawed. In at least one instance, a complaint received by a Racing Minister about the Office of Racing Integrity was referred to the Office of Racing Integrity for investigation.
35. Harness racing participants presented issues with the Office of Racing Integrity's complaint-handling processes and there was a prevalent perception that the Office of Racing Integrity did not act on complaints relating to serious integrity issues.
36. Former Directors of Racing undertook investigations of complaints in accordance with the complaints-handling rules and procedures applicable at the time.
37. Some harness racing participants linked concerns about poor regulation of harness racing - particularly at the level of stewarding - to the lack of racing experience of former Directors of Racing.
38. The former racing integrity framework was deficient and the Office of Racing Integrity needed to be abolished.

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<sup>118</sup> Mr. Sean Carroll, Tasmanian Racing Integrity Commissioner, Transcript of Evidence, 9 December 2025, p. 33.

39. The recently-implemented Racing Regulation and Integrity framework in Tasmania, presents a new opportunity for a fairer and better regulated harness racing industry, particularly with the creation of the new independent Tasmanian Racing Integrity Commissioner.

#### **Recommendations**

7. The Tasmanian Government continue to identify and implement improvements that would strengthen the integrity of the harness racing industry in Tasmania.

## 6 ANY OTHER MATTERS

### Animal Welfare – Equine Code of Practice

- 6.1 Animal welfare concerns were frequently raised with the Committee in this Inquiry.
- 6.2 The original allegations from the ABC report that prompted the Murrhiy Review included the investigation of the conditions on Mr Ben Yole’s Sidmouth property.<sup>119</sup> The Murrhiy Review made recommendations to improve animal welfare standards in the racing industry and to implement an enforceable welfare code.<sup>120</sup>
- 6.3 Ms Janet Ainscow provided the Committee with evidence regarding the conditions of the Yole training facility, sharing her concerns that despite the Murrhiy Review’s investigation and recommendations, the conditions for the horses had not improved:

*Ms AINSCOW - ... In 2013, Ben Yole and his wife purchased the property next door to mine to train harness racing horses. Over the next decade, the number of horses on the property grew uncontrollably. What were once lush, green paddocks quickly turned into a dust bowl as more horses were housed on the land. The entire neighbourhood raised concerns, which were addressed with the local council. During winter, the dust turns to mud, with run-off contaminating our waterways and water storage.*

*In May 2022... I also became increasingly concerned about the welfare of the horses on the Yole property, and supplied photographs to Mr Helmich. I invited him to visit my property to see the conditions firsthand.*

*On 6 July 2022, Mr Helmich, accompanied by Mr Ross Neal, the chief integrity steward, visited my property... Both Mr Helmich and Mr Neal briefly looked over the fence, mentioned that they had seen worse, and left. I was absolutely stunned and could not believe what had just occurred.*

*Since that time, nearly three years ago, much has transpired. There have been reviews by Mr Murrhiy and an independent panel, yet nothing has changed for the lives of the horses. The horses are still exposed to the elements. They have no shelter other than rugs, their water and feed buckets are often tipped over, and they eat their own manure. Dust is constantly in the air on breezy days and mud deeper than the fetlocks occurs in winter. These horses have to lie down and sleep in their own excrement. It breaks my heart to see these racing animals subjected to these conditions. Although the Government has a new code of practice for racehorse welfare, this code does not appear to apply to the Yole training facility,*

<sup>119</sup> Australian Broadcasting Corporation, *Ben Yole Harness Racing Dominance in Tasmania*. Accessed at: <https://www.abc.net.au/news/2023-03-26/ben-yole-harness-racing-dominance-in-tasmania/102122922>.

<sup>120</sup> Submission No. 2, Minister for Racing, Hon. Jane Howlett MP, p. 3.

even though horse numbers have decreased to about one third of the 2023 levels.<sup>121</sup>

- 6.4 Tasracing, together with ORI, developed a new Equine Code of Practice to address animal welfare concerns and the Code was implemented on 1 November 2024.<sup>122</sup>
- 6.5 Former Director of Racing, Mr Robin Thompson, provided evidence in relation to the living conditions for horses at the Sidmouth property and the level of compliance with the Equine Code of Conduct:

**Acting CHAIR** [Mr Winter] - Speaking of conditions, one of the other issues we have is that the conditions were just the same. We have an Equine Code of Practice, which is finally in place, that outlines various things, including that there must be suitable living conditions, including appropriate shelter - there is not appropriate shelter on that site - the horses must have accessible food and water, and the Murrehy review itself raised concerns about the ability for horses to get to food. Why was that new Equine Code of Practice not held up? How is it that that stable is complying with the new code of practice?

**Mr THOMPSON** - Okay, let's go back to Mr Murrehy. He identified a number of issues and they were then subject to investigation by the Independent Stewards Panel and we've seen the outcome from those. Now, the Equine Code of Practice was implemented through a lot of industry consultation, a lot of work done by ORI, in collaboration with Tasracing that came in around 1 November, last year.

Now, since that time, the Yole training facility has been subjected to numerous inspections, unannounced inspections, by a regulatory vet and accompanying steward. We have never found anything that is non-compliant with the Code of Practice - other than, perhaps, the level of fibre being fed in the diet. That has been subject to some recommendations and they are addressing that; the recommendations provided by the regulatory vet in discussion with the trainer.

**Acting CHAIR** - Okay. What shelter is available to the horses there?

**Mr THOMPSON** - Rugs are considered a seasonally appropriate –

**Acting CHAIR** - A rug?

**Mr THOMPSON** - Rugs are considered adequate to provide shelter to meet the requirements of the Code. The requirement is not specific with respect to what will be provided.<sup>123</sup>

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<sup>121</sup> Ms. Janet Ainscow, Transcript of Evidence, 14 March 2025, p. 24.

<sup>122</sup> Mr. Robin Thompson, former Director of Racing, Transcript of Evidence, 17 February 2025, p. 33.

<sup>123</sup> Mr. Robin Thompson, former Director of Racing, Transcript of Evidence, 17 February 2025, pp. 33-34.

6.6 The Committee heard from Mr Thompson about what had changed at the Yole property since the implementation of the Equine Code of Practice:

**Ms JOHNSTON** - To be clear, can you articulate for me what are the changes in the welfare conditions of the horses on Yole's property, from the observations that Mr Murrhly made to post-1 November, when the Equine Code came in? What has changed for those horses?

**Mr THOMPSON** - Voluntarily, Mr Yole has made some changes. If you have witnessed the property of late, the stocking rate of the horses is certainly less, because the current trainer operating from there is training less horses. That's not to say that the horses had an adverse welfare outcome for having the previous stocking rate. In fact, the horses were grouped in, if you like, groups that allow dominance to be expressed and social order in the horses to be expressed. There were always more feeding troughs than there were horses, so eliminating dominance. Horses were paired according to their social order, which cannot be observed from looking over the fence. It's a management observation.

The quality of feed that was provided to the horses was (a) good quality – it is all proprietary brands, and (b) sufficient quantity to meet the nutritional demands of the horses according to the level of work that they were engaged in and the energy that they were expending. There have been some conversations and some changes made with respect to the amount of fibre in the diet.

The water receptacles were always found to contain clean, available water in sufficient quantities to allow access to the horses. The water troughs were always clean and efficient for delivery of water.

Despite, perhaps, people's perception, there were no animal welfare issues there associated with the living conditions of the horses that were predisposing the horses to any adverse animal welfare concerns.<sup>124</sup>

6.7 The Committee heard evidence from NRE Tas in response to the welfare issues identified at the Sidmouth property by Mr Murrhly:

**Ms JOHNSTON** - In my reading of Mr Murrhly's report, I don't believe he found the standards at Mr Yole's property acceptable animal welfare standards... In implementing the recommendations for the Murrhly report, how have we met those, if the standard that we've implemented is the standard of Mr Yole's property?

**Mr THOMPSON** - Remember that the Office of Racing Integrity didn't write the Equine Code of Practice. It was written by Tasracing in collaboration with the industry. The then-ORI provided input as the regulator, and that input was focused on the ability of the standards to be assessed and determined to be carried out or not, to be met or not. It's the industry, really, that determines that

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<sup>124</sup> Mr. Robin Thompson, former Director of Racing, Transcript of Evidence, 17 February 2025, pp. 37-38.

if the standards are not what it wants, then there's a pathway to change the Equine Code of Practice to be more robust.

Remember, it is not just about Yole's. It's about the whole industry, and that the standards would apply across the whole industry, and that the aim of the standards is to get outcomes, and the outcomes are animal welfare. As I've said on many occasions, the regulatory vet has never once found a horse stabled at the Yole training complex that has had adverse animal welfare outcomes that weren't being addressed appropriately by another vet.

**Acting CHAIR** [Mr Winter] - I'll read to you from the Murrilhy review:

However, in brief, the following deficiencies were identified:

The [Yole] property is clearly overstocked with the number of horses for its size and facilities, and accordingly it exhibits barren paddocks completely devoid of pasture.

**Ground conditions.** Drainage is deficient, with substantial areas being waterlogged and muddy in wet conditions, and subject to high level of dust in dry and windy summer conditions.

...

**Feeding regime.** The feed was of good quality and there are sufficient feed and water receptacles, however the feeding system does not satisfactorily address the inevitable horse behaviour pattern of bullying by dominant horses.

It goes on to talk about protection from weather extremes - shelter and shade provisions. It talks about veterinary treatment records, again, not being adequate.

When you say that your stewards found that it met the requirements of the new Code of Practice, I don't understand what you mean. We've had the independent steward come and say it doesn't meet animal welfare standards.

**Mr THOMPSON** - Remember when Mr Murrilhy made those comments, there was no standard, there was no Equine Code of Practice. He was making those comments against maybe his own perceptions, his own beliefs, or whatever. That has since been formalised into the Code of –

**Acting CHAIR** - So he was wrong, was he?

**Mr THOMPSON** - I'm not suggesting he's wrong, but I'm suggesting that they have now been formalised in this document called the Equine Code of Practice, and that is what the regulator has been assessing - the Yole and all other training complexes - against.

**Ms WILSON** - I can quote from Mr Murrhly:

*TasRIC will have mandatory oversight of Tasracing's animal welfare responsibilities and will have the power to implement welfare standards. The proposals include a Tasracing Integrity Unit, bringing together stewards, investigators and animal welfare functions to provide an effective welfare enforcement entity. Tasracing's Chief Veterinary and Animal Welfare Officer will work alongside the new Racing Integrity Unit, providing a cohesive management of animal welfare within that entity.*

*Consequently, the review fully supports the Monteith recommendations as they apply to horse welfare with the proposed transfer of enforcement to Tasracing and the creation of TasRIC as an oversight body. This matches industry-best practice and the models that are in place in other jurisdictions in Australia, whereby both policy and enforcement are housed in the one structure, as proposed in this jurisdiction to be within Tasracing.*

*Mr Murrhly was very clear that it wasn't just around an Equine Code of Conduct. It was about the fact that the new model presented real opportunities for ensuring the implementation of welfare standards were integrated.<sup>125</sup>*

6.8 Ms Wilson gave evidence in response to concerns that the Code had not adequately addressed animal welfare concerns or improved conditions:

**Ms JOHNSTON** - I'm not sure how it is a significant step forward. Can you explain to me what the difference is?

**Acting CHAIR** [Mr Winter] - It achieved nothing.

**Ms JOHNSTON** - What's the step forward? What have we achieved that's better than what we had before?

**Ms WILSON** - Because if it's not complied with, then action can be taken by stewards.

**Ms JOHNSTON** - But the bar is so low, though.

**Ms WILSON** - Mr Murrhly in his report said that in the absence of welfare standards, action was unable to be taken. Now if any trainer/owner that has a horse on its property now does not meet a particular standard, doesn't meet the objectives, stewards can take action. In the absence of those standards Mr Murrhly identified a significant gap. As I say, Tasracing has taken the step to put an Equine Code of Conduct in place. That is a step forward. If people consider that it needs to be - that the standards need to be more prescriptive or need some

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<sup>125</sup> Ms. Deidre Wilson, Acting Secretary, and Mr. Robin Thompson, former Director of Racing, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 17 February 2025, pp. 36-37.

change, there is that capacity now for those matters to be taken to the Tasmanian Racing Integrity Commissioner who can set animal welfare standards.

**Ms JOHNSTON** - It seems to me the step forward we've taken, then, is to set a standard that Yole's property is acceptable, and we have an incredibly low bar and standard that we've normalised and in fact provided sanction to Mr Yole's property in the way he treats his horses as the industry-now guideline and standard.

**Ms WILSON** - I'm not an expert on the interpretation of the Equine Code of Conduct. All I can say is that Mr Murrily indicated that there needed to be standards, industry standards, which the stewards can assess against, and regulatory vets. That's now in place. If anyone thinks that that is not sufficient or there needs to be more prescription, there is a pathway. That pathway was not there before 1 February 2025.<sup>126</sup>

- 6.9 Ms Wilson also confirmed that the allegations pertaining to Mr Ben Yole's mistreatment and cruelty to horses had been referred to the RSPCA Tasmania for investigation under the Animal Welfare Act 1993 (Tas):

**Ms ROSOL** - ... We've been talking a little bit about charges and the possibility of charges... given that the Independent Stewards Panel has confirmed that Ben and Tim Yole systematically mistreated horses, so they were cruel to defenceless animals, and we know section 8 of the Animal Welfare Act makes it an offence to torment or terrify an animal, among other things, and razzing kind of fits into that category, will consideration now be given to pursuing charges or the laying of cruelty charges in this case? What processes and investigations will commence to explore whether this constitutes an offence under the Act?

**Ms WILSON** - These matters were referred to the RSPCA for investigation and that would be a matter for them... under the Animal Welfare Act...<sup>127</sup>

- 6.10 The Committee received evidence on ORI's response to animal welfare concerns at the Yole property from another former Director of Racing, Mr Justin Helmich:

**Mr WINTER** - ... Ms Ainscow contends that she asked you - and I think Mr Neal - to come to her property or Mr Yole's property, which are side by side. During that visit you effectively told her that she was being stood down from harness racing. Is her evidence accurate in terms of what happened that day?

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<sup>126</sup> Ms. Deidre Wilson, Acting Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 17 February 2025, pp. 35-36.

<sup>127</sup> Ms. Deidre Wilson, Acting Secretary, and Mr. Robin Thompson, former Director of Racing, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 17 February 2025, p. 45.

**Mr HELMICH** - I think perhaps the inflection that's been placed upon Ms Ainscow's evidence is probably inaccurate. I've got a timeline in relation to the discussions that I had with Ms Ainscow...

**Mr WINTER** - How many times did you visit Mr Yole's property approximately?

**Mr HELMICH** - At least five.

**Mr WINTER** - The concerns being raised with you, were they primarily around animal welfare or were there other issues as well?

**Mr HELMICH** - Animal welfare was one of the matters that was being raised, yes.

**Mr WINTER** - The concerns that came out of the Murrhiy report, in particular around the way the animals were being fed, the number of horses being held in relatively small confines, the competition for feed, raised some serious concerns. Yet, your stewards and Ms Ainscow contend that you didn't see a problem with this. Is that accurate? How did you find the conditions there at the Yole property at the time?

**Mr HELMICH** - What I can say is that regular inspections were conducted at the stables by stewards and indeed by inspectors of the RSPCA. The conditions there were not found to breach either the Animal Welfare Act 1993, the Australian Harness Racing Rules or the relevant policies that were at the time in place under Tasmanian Harness Racing Rules –

**Mr WINTER** - Did you think they were appropriate though?

**Mr HELMICH** - At some point in time I sought a tri-agency inspection in relation to the Yole premises under the Animal Welfare Act. It's my view that the issue was more around the suitability of the rules that were in place rather than the - by any measure, people can see the photographs and they raise concern. There's no doubt about that. They certainly raised concern for me as well...

**CHAIR** [Ms Haddad] - Did that occur? That Animal Welfare Act –

**Mr WINTER** - The tri-agency investigation?

**Mr HELMICH** - Yes, there was a tri-agency inspection between the Office of Racing Integrity and, as I understand, Biosecurity Tasmania and the RSPCA attended. There were no findings from that in relation to breaches of the Animal Welfare Act.<sup>128</sup>

6.11 Mr Helmich continued to outline actions undertaken in response to animal welfare concerns, as well as the development of minimum standards:

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<sup>128</sup> Mr. Justin Helmich, former Director of Racing, Transcript of Evidence, 4 April 2025, pp. 7-8.

**Mr HELMICH** - ...It was a topic that I regularly discussed with the CEO of the RSPCA. On the back of the discussions with the RSPCA in early 2023, I had discussions with Harness Racing Australia and then subsequently with Tasracing in relation to the need, in my view, for the development of an enforceable Welfare Code of Practice. These discussions culminated in a determination by Tasracing, supported by the Office of Racing Integrity, to develop an Equine Code of Practice and I'm pleased to see that it has progressed.

**Ms JOHNSTON** - Did you ever raise it with the Minister's office? You've raised it with RSPCA. They don't have the ability to make rules in relation to harness racing or laws for that matter. Did you ever raise it with the Minister's office as the ultimate overseer of the racing industry?

**Mr HELMICH** - I think it's important to understand that in the framework that was in place, that the responsible authority for the generation of rules was Tasracing and remains Tasracing. The Minister has no role in the generation of those rules. I would have had discussions, certainly, in relation to this matter, or I expect, with Ministers or Ministers' advisers. I don't think it is any surprise that the welfare concerns that were raised in relation to some of the footage and those sorts of things that were being put into the public realm in that space were causing concern. It certainly would have been something that was discussed by me...<sup>129</sup>

6.12 Evidence on the adequacy of the Equine Code of Practice was also received from harness racing industry participants:

**Ms JOHNSTON** - Continuing on that. Is it something that you'd like to see is that there, and the RSPCA is obviously limited by the Animal Welfare Act in terms of what they can do and where the Animal Welfare Act is woefully inadequate and it would seem the Equine Code of Practice is inadequate if it deems Yole's property to be satisfactory and compliant, is there a recommendation you'd like to see us make around animal welfare to meet what you think the standards should be and is for other participants in the industry?

**Mr RATTRAY** - None of our participants in the industry see that as satisfactory. None of our participants.

**Ms JOHNSTON** - There needs to be a complete review?

**Mr RATTRAY** - My understanding of the new document that came out would say that that's not satisfactory.

**Acting CHAIR** [Mr Winter] - I have to tell you the evidence we heard earlier from the now former Director of Racing was that simply wearing a rug counted as having shelter, for example. And, amongst other things, the stewards had

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<sup>129</sup> Mr. Justin Helmich, former Director of Racing, Transcript of Evidence, 4 April 2025, p. 9.

*inspected the property and that it met the new Equine Code of Practice, which is extraordinary.*

**Mr RATTRAY** - *Our rule book says that it wouldn't.*

**Mr CASTLES** - *There are less numbers now, which is a factor. You have to see this not in isolation, the rug. There's a whole series - how many horses in the paddock, access to, you know, feed, water, mud situations, all that sort of those things.*<sup>130</sup>

- 6.13 The Minister for Racing provided the Committee with evidence regarding the role of the new Tasmanian Racing Integrity Commissioner in improving animal welfare standards:

**Ms HOWLETT** - *...The Racing Regulation and Integrity Act 2024 (the Act) provides a Commissioner with powers and functions that help the Tasmanian Government and the broader racing industry improve standards and behaviours relating to animal welfare.*

*The Commissioner's functions are set out in Division 2 section 9 of the Act. These functions include issuing recommendations to participants in the racing industry to assure racing integrity and animal welfare systems and processes meet contemporary community expectations.*

*In October of last year, Tasmania became one of the select number of Australian racing jurisdictions with a comprehensive code of practice for racehorses. During this short inquiry, the code as it relates to accommodation and protection from weather extremes was discussed.*

*I have requested the Commissioner, if appropriate, along with Tasracing staff and any other relevant stakeholders, to ensure that animal welfare systems and processes meet contemporary community expectations as it relates to accommodation and protection from weather extremes within the code.*<sup>131</sup>

- 6.14 At the 14 March 2025 public hearing, Minister Howlett tabled her letter to Mr Sean Carroll, Tasmanian Racing Integrity Commissioner, dated 5 March 2025, requesting a review of the Equine Code of Practice, and gave evidence on why it was required:<sup>132</sup>

**Mr WINTER** - *Minister, are you saying that the new equine code of practice needs to be reviewed already - the one that came in a few months ago?*

**Ms JOHNSTON** - *1 November, I believe.*

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<sup>130</sup> Mr. Michael Castles, President of Breeders, Owners, Trainers, Reinspersons Association (BOTRA), and Mr. Barrie Rattray, Transcript of Evidence, 17 February 2025, pp. 73-74.

<sup>131</sup> Minister for Racing, Hon. Jane Howlett MP, Transcript of Evidence, 14 March 2025, pp. 2-3.

<sup>132</sup> Tabled paper - Letter from the Minister for Racing to the Tasmanian Racing Integrity Commissioner, dated 5 March 2025, tabled on 14 March 2025.

**Ms HOWLETT** - Correct. I believe that there's always room for improvement. Animal welfare is my number-one priority, and in racing we need to get social licence correct, and that is under every single code. I want to make sure that people can go into kennels, into stables, onto properties, and people have pride in how they treat their animals.

**Mr WINTER** - Minister, I just want to read what you said on 30 October 2024:

*Tasmania is set to become one of only a select number of Australian racing jurisdictions with a comprehensive code of practice for racehorses. The enforceable code of practice has been developed after extensive consultation with industry. It not only provides guidance to racing industry participants but also the assurance to the broader Tasmanian community that the critical role of animal welfare oversight plays in the industry.*

You're saying that from 30 October to 5 March it was deficient?

**Ms HOWLETT** - I want to have best practice. I'm not saying it's deficient at all. What I'm saying is I absolutely want to have best practice.

**Mr WINTER** - Minister, in the media release, you said it was best practice. You said the new code of practice contains standards that are enforceable under the Rules of Racing as well as guidelines based on industry best practice. So, it was best practice, but now it's not?

**Ms HOWLETT** - Well, the bar can always be lifted higher, Mr Winter.

**Mr WINTER** - So this is... best practice, is it?

**Ms HOWLETT** - Things will keep progressing and things will keep getting - obviously, community expectations will keep - we will keep enhancing things the best that we can. We need to gain our social licence back and you know that.<sup>133</sup>

6.15 The Committee notes that Tasracing released the updated Equine Code of Practice on 15 December 2025.<sup>134</sup>

### Findings

40. There are serious concerns that animal welfare standards in harness racing in Tasmania are deficient and do not meet community expectations.
41. There are significant, unresolved concerns about animal welfare of horses on the Yoles' property in Sidmouth, Tasmania.

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<sup>133</sup> Hon. Jane Howlett MP, Minister for Racing, Transcript of Evidence, 14 March 2025, pp. 16-17.

<sup>134</sup> Tasracing, *Updated Equine Code of Practice Released*, 15 December 2025. Accessed at: <https://tasracing.com.au/news/updated-equine-code-of-practice-released>.

42. There have been longstanding calls for an equine code of practice in Tasmania, and Mr Ray Murrirhy also recommended the adoption of such a code.
43. An Equine Code of Practice was implemented on 1 November 2024.
44. The Equine Code of Practice implemented on 1 November 2024 was deficient and set an unacceptably low threshold for animal welfare.
45. On 5 March 2025, the Minister for Racing wrote to the Tasmanian Racing Integrity Commissioner seeking a review of the Equine Code of Practice, approximately four months after its implementation.
46. The Equine Code of Practice has been updated and was released on 15 December 2025.

#### **Recommendations**

8. That the Tasmanian Government continues to evaluate and review the Equine Code of Practice to ensure that it maintains a high standard of animal welfare.
9. That the Tasmanian Government ensure that the Equine Code of Practice is upheld and enforced.

## **Workers' Compensation Obligations and Fatigue Management**

- 6.16 The Committee heard evidence in relation to workers' compensation obligations and the implementation of fatigue management policies for the harness racing industry.
- 6.17 The Committee received evidence from Mr Andrew Jenkins, Chief Executive Officer of Tasracing, regarding its obligations to ensure the health and safety of racing participants:

***Ms JOHNSTON** - What is your understanding of Tasracing's duty of care to those who either Tasracing employs directly or who enter Tasracing's facilities to race, in terms of work health and safety?*

***Mr JENKINS** - Firstly, in terms of Tasracing employees, I should add that we do have guidelines in place on things like, length of shift, maximum travel times, and, potentially, staying overnight rather than jumping in a car after a race meeting, for example. They're the type of considerations that I imagine we will look to suggest as guidelines and educate our participants to try to maximise the safety of those people travelling.*

*In terms of our obligation, ultimately – well, there are a number of obligations, but we are ultimately responsible for the racing and training venues, for example, making sure that the facilities themselves, whether it be tracks, treadmills, pools,*

access roads, and so forth, are safe in terms of infrastructure and personal protective and high-vis equipment. That is something we take very seriously day-in and day-out because we do operate in an industry that is potentially very dangerous.<sup>135</sup>

- 6.18 At the 17 February 2025 public hearing, Mr Jenkins provided evidence regarding work health and safety measures for harness racing participants who are not employed by Tasracing:

**Ms JOHNSTON** - Has Tasracing given any consideration to making a requirement for any participant entering in a race to provide appropriate work health and safety plans for their participation on that particular day? I'm thinking about hours of employment and work that particular day where you have people potentially starting very early and finishing very late. Have you given consideration as a requirement for entry for races that that particular employer can demonstrate to Tasracing that they conduct themselves safely on your property?

**Mr JENKINS** - We have not at this point in time. And we're mindful, as you quite correctly point out, it's a difficult one for Tasracing to regulate because the participants are not our direct employees. Ultimately, it's the responsibility of the employer to ensure that their staff are performing their work in a safe manner - that they've had appropriate rest and so forth.

**Ms JOHNSTON** - The employer, in this particular instance, is entering in a race that Tasracing controls and selects the participants in that particular race and allows them to participate. Does Tasracing have a responsibility to ensure that the employer who's participating in their races meets those requirements?

**Mr JENKINS** - I don't know. I would need to consider the legal aspects of that Ms Johnston, but I understand the nature of the question, which is why, again, we have undertaken a rather significant body of work to develop exactly the type of fatigue management policy and guidelines that we're talking about here.

In terms of regulation and enforcement, I dare say that would be a matter that would be considered by the new Chief Racing Integrity Officer and, potentially, the Commissioner for Racing who may wish to make a recommendation to us in that regard.<sup>136</sup>

- 6.19 Mr Jenkins also gave evidence regarding the oversight to ensure employers have appropriate workers' compensation insurance:

**Ms JOHNSTON** - ...I assume that Tasracing is aware of not only the participants in terms of the riders or drivers or whoever it might be, but who is on the course, who's employed by whom, where that responsibility lies, whether they're

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<sup>135</sup> Mr. Andrew Jenkins, Chief Executive Officer, Tasracing, Transcript of Evidence, 17 February 2025, p. 18.

<sup>136</sup> Mr. Andrew Jenkins, Chief Executive Officer, Tasracing, Transcript of Evidence, 17 February 2025, pp. 18-19.

Tasracing employees, whether they're ORI, or the new structure employees or whether they're an employee of a participant.

Surely you know who's on your property engaged in the racing aspects of that and, when that occurs, is there any check or balance that that person, an employer needs to provide to Tasracing to say, 'Yes, my employees who have come onto your property to engage in racing, have the appropriate insurance coverage or have the appropriate work health and safety standards'? I would assume so.

If it was a contractor entering any other business, they would normally be required to tick a box to say, 'Yes, we have the appropriate onsite protections in place to protect workers.'

**Mr JENKINS** - Yes.

**Ms JOHNSTON** - I'm assuming Tasracing has the same, possibly? Does that occur every race or annually or monthly - how does that occur?

**Mr JENKINS** - Historically, Ms Johnston, that has been managed via the licencing process and that's an annual cycle. A horse trainer applies to have their licence reissued on an annual basis and one of the requirements that is listed as a disclosure and acknowledgement is having appropriate workers compensation insurance. That's an annual process. No, it's not checked on race meeting to race meeting. It's akin to assuming that it - it's just the law, it's an expectation and if it were brought credibly to Tasracing's attention that a given participant, trainer, didn't have appropriate workers compensation insurance, then we may take steps to investigate that ourselves or refer directly to WorkSafe.<sup>137</sup>

6.20 The Committee heard from former Director of Racing, Mr Helmich, regarding the Director's responsibility to ensure participants were appropriately insured:

**Mr WINTER** - ...In terms of that relationship with Tasracing, particularly I want to go back to 2023 and the interaction between yourself and the Office of Racing Integrity following the concerns about workers compensation insurance. After the hearings in which we participated in through parliament, there were concerns raised about who was actually responsible for ensuring that workers compensation insurance was held. Can you run us through what happened in terms of deliberating whether or not you would undertake that work or Tasracing? What was the nature of those discussions?

**Mr HELMICH** - ...My responsibility as the Director of Racing was to assess in accordance with the licensing requirements put in place by Tasracing. The licensing requirements put in place by Tasracing did not, in relation to harness

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<sup>137</sup> Mr. Andrew Jenkins, Chief Executive Officer, Tasracing, Transcript of Evidence, 17 February 2025, pp. 23-24.

racing, reference the need for workers compensation insurance. It did in the thoroughbred code.

Early in my tenure I sought and received advice in relation to my responsibilities as the Director of Racing in relation to workers compensation insurance. The advice was that I only had a role in enforcing workers compensation compliance, albeit even then a tenuous one, if it was a part of a licensing deliberation.

In response to your question specific to the harness racing code, there was no responsibility for me to ensure that people were licensed under Workers Rehabilitation and Compensation Act 1988 because there was no reference to it in the licensing documents. I think I provided that evidence previously.

**Mr WINTER** - Licensing documents were set by Tasracing, not by you.

**Mr HELMICH** - The licensing documents go through, testing my memory here, the Rules and Policy Committee within Tasracing that deals with all of those and approves all of those documents. The Office of Racing Integrity receives those documents and regulated in line with those licencing requirements.

**Mr WINTER** - There was a Friday night race at Elwick following those hearings where Tasracing had basically told Ben Yole Racing, 'Get workers compensation insurance or we're not letting you on the track'. Were you involved in setting that policy? Did you agree with it or did you raise any concerns about it?

**Mr HELMICH** - Look, I don't recall what discussions - there were a lot of discussions in relation to workers compensation insurance around that time. I'm sure everyone around the table is aware of that.

Again, it comes back to my role as a regulator that when I didn't have a specific role based on the advice that I received, I certainly had some discussions. I know that there were discussions in relation to how that would be dealt with by the stewards if Mr Yole was not allowed on the premises.<sup>138</sup>

- 6.21 Evidence received from WorkSafe Tasmania discussed the obligations of harness racing participants, who are not employed by Tasracing, to maintain workplace health and safety:

Persons conducting a business or undertaking (PCBUs) in the racing industry are duty holders under s 19 of the WHS Act [Work Health and Safety Act 2012 (Tas)]. They have a primary duty of care to ensure, so far as is reasonably practicable, the health and safety of workers while at work.

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<sup>138</sup> Mr. Justin Helmich, former Director of Racing, Transcript of Evidence, 4 April 2025, pp. 11-12.

To comply with this duty, hazards in the workplace must be identified, and the risks associated with those hazards managed, through the application of hierarchy of controls.<sup>139</sup>

6.22 Regarding workers compensation insurance, WorkSafe Tasmania's submission stated:

*Under the WRC Act [Workers Rehabilitation and Compensation Act 1988 (Tas)], an employer must either:*

- *take out an insurance policy with a licensed insurer to cover it for workers compensation claims made by its workers, or*
- *apply to the WorkCover Board Tasmania for a permit to self-insure against workers compensation claims made by its workers.*

*An employer who fails to comply with that requirement is guilty of an offence and is liable to a fine not exceeding 500 penalty units. An infringement notice may also be issued for non-compliance, with a fine of two penalty units for an individual or five penalty units for a body corporate.<sup>140</sup>*

6.23 WorkSafe Tasmania included data relating to employers and workers in the racing industry, excluding Tasracing. The data showed that:

- *35 employers held workers compensation policies in 2022-23, covering 116 workers.*
- *The number of employers and declared workers has declined in recent years.*
- *Declared wages have, on the other hand, increased by 25%.*
- *There are relatively few injuries in this industry and the estimated costs can vary significantly from year to year; between \$23,000 and \$935,000 per year in the last five years.*
- *Premiums have increased significantly (155%) from \$217,000 to \$555,000 in 2022-23.*
- *The average premium rate has, as a result, increased significantly over the last 5 years.*
- *The total number of injuries incurred each year has declined in this industry in the last 10 years.*
- *The main types of injuries are fractures (making up nearly half of injuries), traumatic joint/ligament and muscle/tendon injuries, and wounds and laceration injuries.*
- *The main causes of injuries are falls, trips, and slips; and being hit by moving objects.*

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<sup>139</sup> Submission No. 3, WorkSafe Tasmania, p. 2.

<sup>140</sup> Submission No. 3, WorkSafe Tasmania, p. 2.

- The types of workers injured come from the occupation groups of animal attendants and trainers, livestock farm workers, and sports coaches, instructors and officials.
- Due to the relatively small number of injuries and the variability of injury types, the seriousness of the injuries can vary considerably.<sup>141</sup>

6.24 WorkSafe Tasmania provided workers compensation data and commentary relating to Tasracing Pty Ltd in Attachment A of its submission, claiming it as commercial-in-confidence and requested that the Committee consider not publishing the data before consulting with Tasracing.<sup>142</sup>

6.25 The Committee resolved not to publish the material, and to consult with Tasracing. Tasracing viewed Attachment A and advised the Committee it did not oppose publication, after which the Committee resolved to publish WorkSafe Tasmania's submission with Attachment A unredacted.

6.26 Attachment A contained the following WorkSafe Tasmania commentary in relation to Tasracing:

*The data shows that:*

- Tasracing's workers compensation policy has covered 300 workers, except for the most recent year [2023-24] when 375 were covered.
- Tasracing reports between 15 and 30 claims a year over the last 10 years.
- Tasracing's proportion of serious injuries are invariably above the Tasmanian average, except during the COVID-19 period. The reason why there are more serious injuries in Tasracing is explained by their nature, for example:
  - fractures are four (4) times more represented in Tasracing than the Tasmanian average;
  - injury to nerves and spinal cord are twice as many; and
  - intracranial injuries are four times as many.<sup>143</sup>

6.27 In 2024, WorkSafe Tasmania (WST) embarked on a number of programs focused on compliance and education for the harness, thoroughbred, and greyhound racing industries:

Proactive compliance program

*In May 2024, WST commenced a proactive workers compensation and WHS compliance program across Tasmania in the harness, thoroughbred, and greyhound racing industries. WST regularly conducts proactive compliance*

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<sup>141</sup> Submission No. 3, WorkSafe Tasmania, pp. 3-4.

<sup>142</sup> Submission No. 3, WorkSafe Tasmania, p. 3.

<sup>143</sup> Submission No. 3, WorkSafe Tasmania, Attachment A, p. 7.

*inspection programs, decisions regarding which are principally based on risk and available resources.*

*This program's focus was to ensure that workplaces were complying with their obligations under the WRC Act to hold a current workers compensation policy of insurance, and to ensure that workplaces were complying with their work health and safety obligations under the WHS Act.*

*We took a proactive and educative approach to the program in the first instance, including writing to industry participants to inform them of the compliance program and of their obligations. Additional assistance was offered through our Helpline.*

*Inspections in the greyhound industry identified that most operators were hobbyists, not employers, and consequently the focus of the program shifted to the harness and thoroughbred racing sectors.<sup>144</sup>*

6.28 In terms of non-compliance identified during the program, WorkSafe Tasmania submitted:

*After approximately 100 proactive inspections were conducted across all three sectors and across Tasmania, the compliance program is now complete.*

*The program did not identify any contraventions of the WRC Act's requirement to hold a workers compensation policy of insurance. However, there are extant criminal charges against one employer within the racing industry for failing to hold a workers compensation policy of insurance. There is also another matter under consideration by the Director of Public Prosecutions relating to a failure to hold a policy. WST also has other investigations underway relating to potential breaches of industry participants' WHS obligations.*

*Where it identified that employers do not hold a policy of insurance, investigations commenced and, depending on the circumstances of the non-compliance, enforcement action is taken. Enforcement action takes the form of either issuing an infringement notice or referring the matter to the Director of Public Prosecutions for prosecution.<sup>145</sup>*

6.29 In October and November 2024, WorkSafe Tasmania held information sessions for industry participants, which covered work health and safety topics such as:

- *WST, our role as a regulator, and an introduction to our Advisory Service;*
- *duties under the WHS legislation as a PCBU and to whom racing participants owe duties, including volunteers;*
- *duties owed by workers and others under the WHS Act;*

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<sup>144</sup> Submission No. 3, WorkSafe Tasmania, p. 4.

<sup>145</sup> Submission No. 3, WorkSafe Tasmania, p. 5.

- hazard identification and the major injury causes individualised to each of the different codes;
- risk assessment and the expectation of using the hierarchy of control to mitigate those risks; and
- the Inspectorate compliance program and what to expect our Inspectors to be looking for – individualised to each of the codes.

The workers compensation topics included:

- what is workers rehabilitation and compensation;
- the workers compensation arrangements for each of the codes – individualised to each of the codes;
- who must hold a workers compensation policy;
- who is a worker under the workers compensation legislation;
- what is an injury;
- the employer’s responsibilities;
- what does a workers compensation policy cover;
- a worker’s right under the legislation; and
- how to and who can file a claim.

WST presented to the Tasmanian Harness Racing Breeders, Owners, Trainers and Reinspersons Association (BOTRA Tas) in November 2024, and met with Tasracing’s Chief Operating Officer in December 2024 to provide feedback received during the information sessions.<sup>146</sup>

6.30 At the 17 February 2025 public hearing, the Committee heard further evidence from Mr Sam Thompson of WorkSafe Tasmania on discussions with Tasracing after the compliance and education programs had been completed:

**Mr THOMPSON** - ... There have been a number of meetings between Tasracing and our inspectorate, including a feedback meeting in December last year that was held after those information sessions and towards the end of the compliance program.

... we provided feedback to Tasracing about what we saw during the compliance programs and what we saw and heard during the information sessions.

From our perspective we’ve communicated our expectations as a regulator to Tasracing. Our understanding is that Tasracing understands those obligations

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<sup>146</sup> Submission No. 3, WorkSafe Tasmania, pp. 5-6.

and we look forward to having an ongoing relationship with them like we have with many other industry bodies and industry groups.<sup>147</sup>

- 6.31 WorkSafe Tasmania provided a response to a question taken on notice regarding the increase of policy holders following the compliance and education programs:

*... In the part of the initial stages, can you tell us how many, if any, organisations within the racing industry had to take on a policy as part of it, or didn't hold a policy and did because of the approach you took through the education component?*

*Noting that the compliance program began in May 2024, workers compensation data shows that in July – December 2024, 9 businesses in the racing industry that were not previously in our data commenced a policy of workers compensation insurance.<sup>148</sup>*

- 6.32 Harness racing industry participants, Mr Rattray and Mr Castles, provided their perspective on the WorkSafe Tasmania compliance programs:

*Acting CHAIR [Mr Winter] - ... Mr Rattray, there was evidence earlier today about the WorkSafe review into compliance with workers compensation policies. They mentioned over 100 trainers were involved. I'm wondering if you were a part of that and what your perceptions were of it, whether it was something that was valuable?*

*Mr RATTRAY - I think to go through the exercise was very valuable, to identify any problems, any dangerous areas and dangerous practices. I know that after they left we did up a WorkSafe guideline for our people who are handling horses. There's about 20 different things on it, you know, driving a horse and leading a horse, always let the leaders go. We wrote it up and formalised it rather than stuff that we've talked about in the past.*

*Acting CHAIR - So it's more of an educative thing for you?*

*Mr RATTRAY - Yes. It's just to formalise it a bit more. It was of value, yes.*

*Mr CASTLES - I would say it did raise a few issues which are unresolved. Workers comp policies on volunteers: I'd say that's something that's going to need a lot more talk and how that's going to be funded...<sup>149</sup>*

- 6.33 WorkSafe Tasmania submitted evidence about fatigue in the harness racing industry:

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<sup>147</sup> Mr. Sam Thompson, Acting Executive Director WorkSafe Tasmania, Transcript of Evidence, 17 February 2025, pp. 6-7.

<sup>148</sup> Addition Information in response to Questions on Notice, WorkSafe Tasmania, dated 3 April 2025, p. 1.

<sup>149</sup> Mr. Michael Castles, President of Breeders, Owners, Trainers, Reinspersons Association (BOTRA), and Mr. Barrie Rattray, Transcript of Evidence, 17 February 2025, p. 75.

Fatigue was identified as a risk for workers in the harness and thoroughbred racing sector, primarily due to travel times to attend events. Whilst no enforcement notices were issued in relation to fatigue management, Inspectors looked closely at what systems employers in the industry had in place to mitigate the risks.<sup>150</sup>

6.34 The Committee heard evidence on fatigue management policies and risk mitigation undertaken by Tasracing:

**Ms JOHNSTON** - One of the issues that has been regularly raised over the last few years and, again, I'm mindful of matters that are currently before courts in relation to fatigue management and the responsibility around ensuring some safe workplaces - does Tasracing have a fatigue management policy?

**Mr JENKINS** - As it stands, we do not, Ms Johnston. We're in the process of developing one. We've engaged an external safety expert organisation, Sentry Safety Systems. In fact, only over recent days we've received a draft report and some suggestions for inclusion in a fatigue management policy, which I understand would apply not only to Tasracing staff but also to industry participants. As I say, we've only recently received that and we look forward to ingesting it and creating an appropriate policy.

**Ms JOHNSTON** - There have been some very serious incidents, one in particular in early-2023 really rocked the industry and raised a lot of community concern, that relate directly to fatigue management policies. Why has it taken so long to only now get a draft fatigue management policy? Surely that would be a high priority to ensure the safe participation of participants in the industry? Why has it taken two years to get a draft policy?

**Mr JENKINS** - Thank you. You're quite right, it is important and it is a priority. The safety audit that we engaged the external vendor to conduct for us was comprehensive and extensive, and not only included matters of fatigue management, but audits of every one of our racing and training facilities. If we were only looking at fatigue management, I would agree with you and say that ideally it would have happened faster but, as I've indicated, fatigue management is one element of what is an extensive report that has taken quite some time.<sup>151</sup>

6.35 Mr Jenkins provided responses in writing to questions he took on notice during the public hearing:

**When were consultants engaged to commence? (Ms Johnston)**

Sentry was engaged in May 2024 for a safety audit

**Provide draft fatigue management policy for participants (Ms Johnston)**

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<sup>150</sup> Submission No. 3, WorkSafe Tasmania, p. 4.

<sup>151</sup> Mr. Andrew Jenkins, Chief Executive Officer, Tasracing, Transcript of Evidence, 17 February 2025, pp. 17-18.

Sentry Safety were engaged in November 2024 specifically to assess Tasracing's Fatigue Management Policy as a priority. A report is now in receipt and Tasracing is developing a Guidance Note (or similar) to be distributed to participants in approximately 4-6 weeks.<sup>152</sup>

6.36 Tasracing provided a copy of the draft Tasracing Fatigue Management Guidelines to the Committee, which stated:

*Participants in the Tasmanian racing industry face significant fatigue risks due to demanding schedules, extensive travel, and, for some, the pressures of weight management and other employment outside of the racing industry. These factors can impact health and safety, creating risks under Tasmania's WHS legislation.*

*Fatigue impairs alertness, slows reaction times, and reduces decision-making abilities, all of which increase the likelihood of accidents travelling to and from events, and injuries during racing and training activities.*

*To address these risks, the Guidance Note encourages trainers and their employees to collaborate in developing a 'weekly plan' that accounts for work schedules and working hours. This plan should prioritize minimizing fatigue risks wherever practicable.*

*While Tasracing does not directly manage fatigue risk for industry participants, it is committed to supporting the racing industry by providing resources and guidance to promote safe practices.<sup>153</sup>*

6.37 The draft Tasracing Fatigue Management Guidelines fatigue risk management strategies state:

*Effective fatigue management involves identifying risks, assessing their impact, and implementing strategies to minimize them. Some recommended strategies include:*

- *Work Scheduling: Limit long working hours and ensure adequate breaks between shifts. Avoid where possible scheduling tasks during high-risk times, such as late at night or early in the morning.*
- *Travel Management: Plan travel to allow sufficient time for rest and recovery before and after events. Consider sharing the driving with other race day participants in the car...<sup>154</sup>*

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<sup>152</sup> Additional information in response to Questions on Notice, Tasracing, dated 2 April 2025, pp. 1-2.

<sup>153</sup> Additional information in response to Questions on Notice, Tasracing, dated 23 May 2025, p. 4.

<sup>154</sup> Additional information in response to Questions on Notice, Tasracing, dated 23 May 2025, p. 8.

6.38 The Committee notes that the Tasracing Fatigue Management Guidance was published in June 2025.<sup>155</sup>

6.39 Mr Jenkins provided evidence at the 17 February 2025 public hearing regarding work related to risk mitigation being undertaken by Tasracing:

**CHAIR** [Ms Haddad] - Can you indicate if that work will look at things like travel time required by people working in the industry when Tasracing sets race times. A race might finish at a particular time, but would a fatigue management policy anticipate travel required by workers after that time of a race finishing?

**Mr JENKINS** - I imagine that would be the case. I physically haven't viewed the draft report, yet, but I would think that such matters would be considered, yes.

**Mr WINTER** - Around race times. Anecdotally, I'm looking at Sunday 2 February at Hobart, the last race was at 9.36 p.m. and I think I found one from Launceston where the last race was at 10.30 p.m. Anecdotally, it doesn't look like there's been any adjustment. Has there been any adjustment or change in view from Tasracing over the last two years about race times?

**Mr JENKINS** - Thank you, Mr Winter. Race times are a challenging one, in the sense that, ultimately, broadcast programming is controlled by Sky Channel and that drives the majority of our wagering income. It is always our tension to try to get the best balance we can between income generation for the industry and the safety and wellbeing of our participants. We will endeavour to finish as early as we possibly can, as a rule, subject to availability with Sky.

We've also undertaken some specific actions to try to reduce travel time, particularly for our participants coming and going from the north-west coast. For example, greyhound trials we have moved before the race meetings of a Thursday night in Hobart, meaning that participants can jump in the car straight after their last race or the last race, as opposed to them needing to hang around for another half an hour or an hour after a 10 p.m. race. It is something that we watch very carefully and we put a lot of time into our working relationship with Sky to make sure that we're able to maximise - to get our meetings as early as we possibly can.

The other consideration there, Mr Winter, is that clubs that are staffing a number of these race meetings for hospitality and so forth have normally casual or part-time employees who work full-time. It's not always possible to start, say, at 4 o'clock because people are still working. It's quite a complex one but, as I say, it's something we do endeavour to bring our meetings forward as far as we feasibly can.<sup>156</sup>

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<sup>155</sup> Tasracing, *Fatigue Management Guidance – June 2025*. Accessed at:

[http://tasracing.com.au/hubfs/Corporate%20Documents/Fatigue%20Management%20Guidance%20June%202025%20\(1\).pdf](http://tasracing.com.au/hubfs/Corporate%20Documents/Fatigue%20Management%20Guidance%20June%202025%20(1).pdf).

<sup>156</sup> Mr. Andrew Jenkins, Chief Executive Officer, Tasracing, Transcript of Evidence, 17 February 2025, pp. 19-20.

6.40 Mr Jenkins gave evidence on the power imbalance between the broadcaster and the industry regarding race scheduling:

**CHAIR** [Ms Haddad] - You mentioned the challenge of negotiating with Sky in terms of income for the industry, broadcasting, people's work commitments, balancing that with work health and safety for workers. Can you just talk us through how those negotiations or decisions are made? It just feels to me like there might be a bit of a power imbalance between a large broadcaster like Sky and a workforce that is potentially working very long hours, and we've seen instances of very long hours indeed.

How do those negotiations - do they happen race by race? Do they happen once a year in setting those expectations between the broadcaster and workforce?

**Mr JENKINS** - Yes, it tends to be an annual planning process. As you would appreciate, it's an incredibly complex programming exercise for Sky. They're doing it nationally, not just for Tasmania.

We set out a preferred program on an annual basis. Then, typically, as I understand it, quarterly, and in some cases monthly, actual race times are populated. That being the case if there are schedules we think we may be able to negotiate with Sky and change, bring forward as the case may be, then it's a matter of the Tasracing racing team contacting Sky and simply requesting, 'Look, can we come forward a race?' for example.

In fairness we have a very good working relationship with Sky, but you're quite right in what you're saying in that, ultimately, they determine which states are running when.

**CHAIR** - How feasible would it be for a large workforce like the Tasmanian racing industry to come forward and say, we're not going to have these late-night finishes anymore? Would your hands be tied setting race times by those broadcasting rights and income potential?

**Mr JENKINS** - Potentially that - yes, that would be problematic because Sky is not obliged to ultimately move forward or change programming. Whilst we have a formal contract in place, above and beyond that it's based on some give and take.<sup>157</sup>

6.41 Mr Rattray and Mr Castles reflected on the impact of late races on participants:

**Acting CHAIR** [Mr Winter] - ...We were talking earlier today with Tasracing about race times and WorkSafe as well about race times. We can't and won't go into the specifics of the crash for legal reasons, but in a policy sense, can you explain the impacts that having races finish at 10.35 p.m. in Hobart has on you? What time

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<sup>157</sup> Mr. Andrew Jenkins, Chief Executive Officer, Tasracing, Transcript of Evidence, 17 February 2025, pp. 20-21.

are you getting home? What time do you have staff starting? What time are you starting? What does a day look like for you when you have late races in Hobart?

**Mr RATTRAY** - Let me tell you that we ensure that we've got at least two drivers. That one of us is given the opportunity to jump out because I'm going to sleep and I find it more and more as I get older. We've always got two people in the car. Yes, it's a handful and it's a big day, but it's what we've done for 40-odd years.

**Acting CHAIR** - Have the races always been that late?

**Mr RATTRAY** - Yes, we used to get home from Hobart in the '90s, or whatever, we'd get home at 4 o'clock in the morning. That is not unusual...

**Acting CHAIR** - ... Just from a policy point of view, I wondered about the attitude, particularly from the northern trainer's point of view, to late racing, whether it's just a fact of life that you're prepared to deal with or whether it's something you'd like to see changed?

**Mr RATTRAY** - It's a fact of life that we deal with that we would like to see changed and identify those that are travelling north and south and put them on earlier, which is quite often done I might add, but not always. It's a matter for consideration that could help those trainers and drivers considerably.

**Acting CHAIR** - Mike [Castles], you're coming from the north-west, so have you got a view on this?

**Mr CASTLES** - Yes, it affects how often we go. We simply wouldn't go south every week. Over time it just wears you down. That's how we deal with it.

**Acting CHAIR** - Have either of you had a fatigue management policy in place, either formally or informally? In fact, Barrie [Rattray], you kind of talked about an informal policy where you're making sure you have two drivers - that's how you manage it?

**Mr RATTRAY** - Yes. No-one drives home on their own. The other person is always able to drive whilst not always wanting to. Always able to drive. We break the legs up. Todd and I, for instance, I'll drive quite often at least to Campbell Town, quite often just to Mood Food, and then he'll take over, or vice versa.

**Acting CHAIR** - Is that the standard way, Mike, that people manage it?

**Mr CASTLES** - Pretty much, yes. We'd never send a horse to the race with one person, anywhere. To Hobart there's always two drivers.<sup>158</sup>

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<sup>158</sup> Mr. Michael Castles, President of Breeders, Owners, Trainers, Reinspersons Association (BOTRA), and Mr. Barrie Rattray, Transcript of Evidence, 17 February 2025, pp. 74-75.

6.42 The Committee heard from Mr Sam Thompson about WorkSafe Tasmania's perspective on fatigue management policies and risk mitigation:

**Mr WINTER** - ...In your submission you talk about fatigue being identified as a serious risk for workers in the harness and thoroughbred racing sector, primarily due to travel times to attend events - I'd add greyhounds to that. Whilst no enforcement notices were issued in relation to fatigue management, inspectors look closely at what systems employers in the industry have to mitigate against the risks. Are you able to talk us through what systems employers were found to have to mitigate this risk?

**Mr THOMPSON** - I can answer that in a general sense, and I'll also add that there's one prosecution on foot at the moment that relates, in part, to the failure to have a fatigue management policy that's adequate. The policies that are in place would vary according to the size and complexity of the business. As a regulator, it's not our expectation that every single employer has a very lengthy, documented complex policy. In fact, as a regulator, often that's not the most helpful thing. Often the factors that we look more at relate to what induction and training and ongoing discussions are there, what are the - if I can call them - cultural factors and expectations that might be in place that would take into account, say, the particular vulnerabilities, including in relation to age of the particular workers. There's not a one-size-fits-all approach, and there's not a one-size-fits-all obligation. The legal obligation isn't to have a policy in a particular form or anything like that. The obligation relates to having a control.

**Mr WINTER** - From my perspective - and we're not going into the specifics of any case because this happens every weekend - but particularly around harness racing you have, for example, meets happening in Hobart that we've seen finish at 11 p.m. at night. You have staff who are starting work at 5 or 6 in the morning working horses, they're working through to 11 at night in Hobart and then they're driving themselves back - almost a 24-hour day. That is a result of - and I'm sorry to say - Tasracing's scheduling of the races so late, which they do for their own reasons. Has WorkSafe considered, or has it provided any advice to Tasracing about scheduling, and the difficulties for workers in keeping safe, given the scheduling so late?

**Mr THOMPSON** - Yes, there have been discussions between WorkSafe and Tasracing about the scheduling and about the cascading duties, if I can put it that way, because there are a number of businesses involved in it - Tasracing, the trainers and so on. There have been discussions with Tasracing about that particular point.

**Mr WINTER** - Do you have any powers or influence to have Tasracing finish their program earlier?

**Mr THOMPSON** - I have powers, as the regulator, to issue notices where, for example, there's a breach of the legislation. At this stage, no notices have been issued - well, there is no further activity at the moment in relation to issuing of

notices, having regard to discussions that have been had and other activities, if I can put it that way.

*In putting it maybe a little bit more plainly, as a regulator it is not really feasible for us to determine, say, what is the appropriate start or finish time of the race. However, our very strong expectation is that all duty holders provide, so far as is reasonably practicable, safe systems of work, that the obligation under the Work Health and Safety Act 2012 to consult between duty holders is complied with and so on.<sup>159</sup>*

## **Findings**

47. It is the responsibility of employers in the harness racing industry to ensure that work health and safety obligations are met through appropriate policies and procedures to mitigate risks for employees.
48. It is a legal requirement that employers in the harness racing industry have appropriate workers' compensation insurance.
49. There have been serious issues with workers' compensation within the Tasmanian harness racing industry, with some participants non-compliant with requirements.
50. In 2024, WorkSafe Tasmania undertook a proactive program of work health and safety and workers compensation education and compliance with the racing industry, including the harness racing industry.
51. Employee fatigue is a critical risk in the Tasmanian harness racing industry, because of long work hours, late night scheduling of races, and long distances travelled.
52. There have been significant fatigue-related incidents in the harness racing industry over many years.
53. Tasracing only finalised its Fatigue Management Guidance note for the racing industry in June 2025 and the delay may have resulted in a prolonged period of unsafe work practices for participants.
54. Sky Channel dictates late night scheduling of harness races for broadcasting and wagering reasons. This presents significant work health and safety risks for Tasmanian racing industry workers.

## **Recommendations**

10. That Tasracing prioritise the welfare of harness racing participants, workers and employer work health and safety obligations over wagering income.

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<sup>159</sup> Mr. Sam Thompson, Acting Executive Director, WorkSafe Tasmania, Transcript of Evidence, 17 February 2025, pp. 8-9.

11. That Tasracing discusses with participants strategies to mitigate the risks associated with travel after late night races.
12. That any future racing industry review considers the work health and safety risks associated with late night race scheduling.

## Tasmanian Racing Appeals Board (TRAB)

- 6.43 Harness racing industry participants raised concerns about the Tasmanian Racing Appeals Board (TRAB), including timeliness, feeling intimidated, lack of industry knowledge, and jurisdiction.
- 6.44 Mr Steve Devereux, of the Tasmanian Trotting Club, provided his perspective on the TRAB's timeliness in decision making:

*Acting CHAIR [Mr Winter] - Something that hasn't been touched by the new reforms, I don't think much at all, is TRAB. What's your view on TRAB's role in all of this? You've pointed to the fact they overturned the disqualifications from Tasracing. What are the issues there, and what are the issues that policymakers need to be thinking about?*

*Mr DEVEREUX - The biggest issue is time. Today, if you reckon, there are appeals that are sitting reserve from 12 to 18 months ago. We have stays on that seem to go forever. There's one there where the hearing's been adjourned and there's no date, and we've got the... Yole appeal from last Thursday, which – nobody knows where it's sitting, it's just in limbo. If the people on the Board can't do the job, get people who can do it. There has to be some sort of timeframe that says, 'We're going to hear this in a certain amount of time and make a ruling,' not just sit there and go, 'We're going to reserve it because natural justice or procedural fairness.' I mean, the rules are there so if you break them, surely you've had natural justice because you know if you break the rules you're going to get this penalty. I would assume, given it's another change to the Act, it's probably not going to happen. They need to look at the right people on there who can do the job in a timely manner.<sup>160</sup>*

- 6.45 Mr Devereux gave evidence as to how the industry could move forward under the new Racing Integrity Unit within Tasracing, and raised the importance of the TRAB to lift the standard of stewarding:

*Acting CHAIR [Mr Winter] - We've now had all, bar one, of the stewards, and that steward that didn't transfer over was Janet Ainscow. Every other steward has transferred over to the new body. They've added some new stewards, as I understand it. I've noticed some new people, particularly in thoroughbreds.*

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<sup>160</sup> Mr. Stephen Devereux, Chief Executive Officer, Tasmanian Trotting Club, Transcript of Evidence, 17 February 2025, pp. 49-50.

What needs to happen now, in terms of the new entity lifting the standard of stewarding?

**Mr DEVEREUX** - Administer the rules. The rules are there and they need the support of TRAB to back them up, whether that means there's penalty guidelines and all sorts of things, and sit down. I remember having a discussion with, I'm not sure if it was Robin Thompson, it might've been the Director before, that TRAB and the stewards wouldn't even talk to each other. So they weren't asking the question of why are we taking a case to you and you're knocking it off? They just kept putting them up. Then they got to the point of saying, 'It's not worth following up because TRAB will just knock it off anyway.' I mean, if you're doing something wrong, find out what you're doing, but administer the rules as they're written.

This current case now with... Yole, the rule is clear – it's not grey, it's black and white – about disqualified persons. How can TRAB then give a stay on something that's black and white? If they want to take it to the Supreme Court, that's fine, but we need to follow what the rules say and then let it play out after that.<sup>161</sup>

6.46 Mr Michael Castles and Mr Barrie Rattray provided their perspective on the influence of the TRAB on stewards:

**Ms JOHNSTON** - ...you raise your concerns about the influence of TRAB (Tasmanian Racing Appeals Board) on stewards' behaviour. Can you expand on what your concerns are and what that influence might be?

**Mr RATTRAY** - I'm concerned that everything that the stewards do is taken to TRAB and at least tinkered with, even if it's not thrown out. There is a case and a point in time where I think the Office of Racing Integrity became less effective when an appeal was taken to them and it was thrown out because the particular victim, if you like, felt intimidated. It's an intimidating situation to go to a steward's room and it doesn't matter whether you're a young lady or a young bloke, it's an intimidating situation, but the rules have to be abided by.

And in my opinion that one statement that she felt intimidated so therefore we're going to throw the case out, doesn't do much for the safety of everybody in the industry or the compliance with the rules.

**Ms JOHNSTON** - Do you think that it's a case that TRAB is failing to give effect to the rules and have some other kind of framework for assessing appeals? If they're not applying the rules, in that case you're talking about where the participant felt intimidated, I'm assuming that it was an appeal on a breach of a racing rule that was either black and white, didn't happen. If that wasn't disputed, it was just how the person felt, then TRAB has given their own interpretation to the racing rules that go beyond a standard rule. Is that correct?

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<sup>161</sup> Mr. Stephen Devereux, Chief Executive Officer, Tasmanian Trotting Club, Transcript of Evidence, 17 February 2025, pp. 56-57.

**Mr RATTRAY** - I'm inclined to agree with you. Yes.

**Ms JOHNSTON** - Do you think that filters down then to stewards perhaps being concerned or unwilling to enforce those rules in the first instance if they feel that TRAB might have a different interpretation of it?

**Mr CASTLES** - I get that feeling that perhaps they've got a bit gun-shy on it.<sup>162</sup>

- 6.47 In relation to the members of the TRAB having expert knowledge of the industry, the Breeders, Owners, Trainers, Reinspersons Association (BOTRA) Tasmania submission stated:

*It is our opinion that the Appeals Board lacks current racing knowledge. We recommend a review of the makeup of the panel.*<sup>163</sup>

- 6.48 Mr Castles of BOTRA Tasmania expanded on this point at the 17 February 2025 public hearing:

**Mr CASTLES** - We mentioned it in our submission: does the Appeal Board need more racing knowledge on there to go with the legal knowledge? We've had some very good legal people through the Appeals Board, but from the tactics type stuff in a race, there's nuances in that you do need to have a pretty solid background in our sport. I believe that's an area that the Appeals Board should be looking to probably recruit someone in to assist them with those sorts of cases. That, in turn, may well bolster the stewards or embolden them to prosecute some of these cases. They do know that you're going to come under a lot of scrutiny, and they don't want to go there and lose, so perhaps something in that appeals area might help the situation.<sup>164</sup>

## Findings

55. There is a perception within the harness racing industry that the Tasmanian Racing Appeals Board takes too long to determine matters.
56. There is a perception within the harness racing industry that some Tasmanian Racing Appeals Board decisions appear to be at odds with the rules of racing, undermining stewards' decision-making and confidence in their own rulings.
57. There is a common perception within the harness racing industry that the membership of the Tasmanian Racing Appeals Board lacks sufficient racing experience and knowledge.

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<sup>162</sup> Mr. Michael Castles, President of Breeders, Owners, Trainers, Reinspersons Association (BOTRA), and Mr. Barrie Rattray, Transcript of Evidence, 17 February 2025, p. 68.

<sup>163</sup> Submission No. 7, Breeders, Owners, Trainers, Reinspersons Association (BOTRA) Tasmania, p. 2.

<sup>164</sup> Mr. Michael Castles, President of Breeders, Owners, Trainers, Reinspersons Association (BOTRA), Transcript of Evidence, 17 February 2025, pp. 68-69.

### **Recommendations**

13. That the Tasmanian Racing Appeals Board ensures appeals are resolved in a timely manner.
14. That the Tasmanian Racing Appeals Board ensures its decisions are in line with the Australian Harness Racing Rules.
15. That the Minister for Racing reviews the required skills base of the Tasmanian Racing Appeals Board, and ensures its membership includes knowledge and experience in racing.

## **APPENDICES**

### **Appendix A – List of submissions**

1. Janet Ainscow
2. Hon. Jane Howlett MP, Minister for Racing
3. WorkSafe Tasmania
4. Private Witness
5. Barrie Rattray
6. Department of Natural Resources and Environment Tasmania
7. Breeders, Owners, Trainers, Reinspersons Association (BOTRA) Tasmania
8. Lily Blundstone
9. Steven Shinn

## **Appendix B - Lists of Witnesses**

### **PUBLIC HEARING – 17 February 2025**

1. Mr Samuel Thompson, Acting Executive Director, and Mr Damian Davidson, Director Compensation Schemes, WorkSafe Tasmania.
2. Mr Andrew Jenkins, Chief Executive Officer, TasRacing.
3. Ms Deidre Wilson, Acting Secretary, Department of Natural Resources and Environment; and Mr Robin Thompson.
4. Mr Stephen Devereux, Chief Executive Officer, and Mr Noel Salter, Chairman, Tasmanian Trotting Club; and Mr Chester Bullock, President, Launceston Pacing Club.
5. Mr Barrie Rattray; and Mr Mike Castles, President, Breeders, Owners, Trainers, Reinspersons Association (BOTRA) Tasmania.

### **PUBLIC HEARING – 14 March 2025**

1. Hon. Jane Howlett MP, Minister for Racing; and Ms Deidre Wilson, Associate Secretary, Department of Natural Resources and Environment Tasmania.
2. Ms Janet Ainscow.

### **PUBLIC HEARING – 4 April 2025**

1. Mr Justin Helmich.
2. Mr Steven Shinn.
3. Private Witness.

### **PUBLIC HEARING – 9 December 2025**

1. Hon. Madeleine Ogilvie MP, as a former Minister for Racing; Mr Jason Jacobi, Secretary, and Ms Deidre Wilson, Chief Operating Officer, Department of Natural Resources and Environment Tasmania.
2. Hon. Felix Ellis MP, as a former Minister for Racing; Mr Jason Jacobi, Secretary, and Ms Deidre Wilson, Chief Operating Officer, Department of Natural Resources and Environment Tasmania.
3. Mr Sean Carroll, Tasmanian Racing Integrity Commissioner.

## Appendix C - Minutes of the Committee

### WEDNESDAY, 16 October 2024

The Committee met at Parliament House, Hobart, in Committee Room 1, at 2.15 p.m.

#### MEMBERS PRESENT:

Ms White (Chair)  
Mr Behrakis  
Mrs Pentland  
Ms Johnston  
Ms Rosol  
Mr Wood

#### APOLOGIES:

Mr Winter

#### CONSIDERATION OF PROPOSED OWN MOTION INQUIRY:

The Committee discussed a proposal for an own motion inquiry, as circulated prior to the meeting by Ms Johnston.

*Resolved*, That the Committee conduct an inquiry into the Tasmanian Government's response to serious allegations within harness racing, with reference to the following:

- 1) The Murrily Review;
- 2) The Independent Stewards Report;
- 3) Licensing and warning off of participants;
- 4) The performance of the Office of Racing Integrity; and
- 5) Any other matters incidental thereto. (Ms Johnston)

#### NEXT MEETING:

At 2.19 p.m., the Committee adjourned until a date to be determined in relation to the next meeting for this Inquiry.

Confirmed,

### WEDNESDAY, 20 November 2024

The Committee met at Parliament House, Hobart, in Committee Room 1, at 2.01 p.m.

#### MEMBERS PRESENT:

Ms White (Chair)  
Mr Behrakis  
Ms Johnston  
Ms Rosol  
Mr Winter

#### APOLOGIES:

Mrs Pentland  
Mr Wood

#### MINUTES:

*Resolved*, that the minutes from the previous meeting for this inquiry (16 October 2024) be confirmed. (Mr Behrakis)

#### MEMBERSHIP PROXY

##### ARRANGEMENTS:

The Chair advised that no requests for proxy arrangements had been made.

#### PROGRESSING THE INQUIRY

The Committee discussed the process options for the Inquiry, the potential timeline for the inquiry and the potential stakeholders to invite them to make a submission.

*Resolved* that the Committee would conduct a Short Inquiry Process, involving specific stakeholders being

invited to make a submission, and no public call for submissions at this time.  
(Ms Johnston)

Resolved, that the Committee adopt the following timeline:

- Submissions open – Thursday 21 November 2024
- Submission close – Thursday 23 January 2025
- Meeting 3 – Friday 24 January 2025
- Hearing 1 – Tuesday 4 February 2025
- Hearing 2 – Monday 17 February 2025 (Ms White)

Resolved that the Committee invite the following to make a submission:

- Tasmanian Government Minister for Racing, Hon. Jane Howlett MP
- Department of Natural Resources and Environment
- Tasracing
- Office of Racing Integrity
- RSPCA
- Ray Murrhiy
- Independent Stewards Panel – Dayle Brown
- Tasmania Harness Racing Breeders, Owners, Trainers and Reinspersons Association (BOTRA Tas)
- Lilly Blundstone
- Corey Bell
- Ben Yole
- Janet Ainscow
- WorkSafe Tasmania
- Racing Clubs Tasmania
- Barrie Rattray

- Former Racing Ministers, the Hon. Felix Ellis MP and the Hon. Madeleine Ogilvie MP.  
(Ms Johnston)

The Committee agreed that the Secretariat advise uninvited persons expressing an interest in the Short Inquiry to write to the Committee for consideration as correspondence.

**MEDIA RELEASE:**

The Committee agreed that the Chair would publish a media release advising of the Committee's decision to conduct a Short Inquiry.

**NEXT MEETING:**

At 2.13 p.m., the Committee adjourned until the next meeting on 24 January 2025.

Confirmed,

**THURSDAY, 30 January 2025**

The Committee met at Parliament House, Hobart, in Committee Room 1, and via Webex at 9.37 a.m.

**MEMBERS PRESENT:**

Mr Behrakis (at 9.46 a.m.) (via Webex)  
Ms Johnston  
Mrs Pentland (via Webex)  
Ms Rosol (via Webex)  
Ms White (Chair) (via Webex)  
Mr Winter  
Mr Wood (via Webex)

**APOLOGIES:**

There were no apologies.

**MEMBERSHIP PROXY**

**ARRANGEMENTS:**

The Chair advised that no requests for proxy arrangements had been made.

**MINUTES:**

*Resolved*, that the minutes from the previous meeting be confirmed. (Ms White)

**CORRESPONDENCE:**

*Resolved*, that the following correspondence be received by the Committee:

- a. Email from Matthew Cooper dated 3 December 2024; and
- b. Email from Brendan Blomeley, Chair, Racing Clubs Tasmania dated 22 January 2024. (Ms White)

*Resolved*, that Steve Devereux, of the Tasmanian Trotting Club, and Chester Bullock, of the Launceston Pacing Club, would be invited to give evidence at a public hearing. (Ms White)

**SUBMISSIONS:**

*Resolved*, that submissions no. 2, 5, and 6 be received, and published in full, with personal contact details redacted as standard. (Ms White)

*Resolved*, that submission no. 3 be received, and where the submitter has requested specified information in the submission remain confidential, be published with such information redacted. (Ms White)

The Committee agreed that the Chair sends correspondence to Tasracing seeking its position on publishing the confidential information contained in submission no. 3.

*Resolved*, that submissions no. 4 and 7, provided in confidence, be received and not published. (Ms White)

Ms Rosol left the meeting at 10.08 a.m.

*Resolved*, that submission no. 1 be received, and published with personal contact details and the following information redacted:

- Second sentence of the third paragraph on page two.
- Dot point ix on page three.
- Third paragraph on page three.
- Second sentence of the sixth paragraph on page three.
- Part of the second sentence, and all the third sentence, of the tenth paragraph on page three.
- First, second, and fourth paragraph on page four.
- Second sentence of the fifth paragraph on page four.
- Second paragraph on page five.
- Eighth and ninth sentences of third paragraph on page five.
- Third sentence of the fourth paragraph on page five.
- Parts of the fourth and fifth sentences of the fifth paragraph on page 6.
- Paragraph eight on page 6.
- Sixth sentence of the second paragraph on page 7. (Ms White)

*Resolved*, that the Chair sends correspondence to the author of submission no.1 advising of the Committee's decision regarding publication and for the author to direct

all allegations of illegal activities to the relevant authorities. (Ms White)

*Resolved*, that, in relation to confidential evidence of criminal or unlawful allegations in submissions, Tasmania Police are to be informed of the allegations by the Committee. (Ms White)

*Resolved*, that the Chair send correspondence to Laura Lorde in relation submission no.1 to invite a submission and to appear at a public hearing. (Ms White)

**PUBLIC HEARING – DATES AND WITNESSES:**

*Resolved*, that the Public Hearing scheduled for 4 February 2025 not proceed on that date, and to hold public hearings on 17 February 2025 and 14 March 2025. (Ms White)

Mr Winter left the meeting at 10.35 a.m.

Mr Wood left the meeting at 10.39 a.m.

*Resolved*, that the following persons and organisations be invited to appear and provide evidence at the public hearings:

- Janet Ainscow.
- Hon Jane Howlett MP, Minister for Racing.
- WorkSafe Tasmania.
- Barrie Rattray.
- Department of Natural Resources and Environment Tasmania.
- BOTRA Tasmania.
- Steve Devereux, Tasmanian Trotting Club.

- Chester Bullock, Launceston Pacing Club.
- Laura Lorde.
- Ray Murrphy.
- Tasracing.
- Office of Racing Integrity.

(Ms White)

**NEXT MEETING:**

At 10.47a.m., the Committee adjourned until the next meeting on 17 February 2025.

Confirmed,

**TUESDAY, 4 February 2025**

The Committee met at Parliament House, Hobart, in Committee Room 1, and via Webex at 9.16 a.m.

**MEMBERS PRESENT:**

Mr Behrakis (at 9.17 a.m.) (via Webex)  
Ms Johnston  
Mrs Pentland (via Webex)  
Ms Rosol (at 9.20 a.m.) (via Webex)  
Ms White (Chair) (via Webex)  
Mr Winter  
Mr Wood (via Webex)

**APOLOGIES:**

None.

**MINUTES:**

The Chair advised that the minutes from the previous meeting for this inquiry (30 January 2025) are in progress and will be presented at the Committee's next meeting.

**SUBMISSIONS:**

Resolved, that the Committee will consider the process by which certain confidential information in submission no. 1 is shared with Tasmania Police at its next meeting. (Ms White)

Resolved, that the Secretariat attempt to contact Mr Steven Shinn as soon as practicable and, if located, advise him of the publication of submission no. 1 and his ability to provide a written reply to the Committee for its consideration. (Ms White)

Resolved, that a message be placed on the "Submissions" webpage for this inquiry advising the public that submissions may contain adverse reflections on individuals and directing them to contact the Secretariat. (Ms White)

Ms Rosol joined the meeting at 9.20 a.m.

Resolved, that submission no. 8 be received, with personal contact details and the following paragraphs redacted:

- Eighth paragraph on page three; and
- Part of the first sentence of the ninth paragraph on page three. (Ms White)

**MEDIA RELEASE:**

Resolved, that the Chair will issue a media release regarding the public hearing on 17 February 2025 prior to its commencement. (Ms White)

**NEXT MEETING:**

At 9.25 a.m., the Committee adjourned until the next meeting on 17 February 2025.

Confirmed,

**FRIDAY, 7 February 2025**

The Committee met at Parliament House, Hobart, in Committee Room 1, and via Webex at 3.01 p.m.

**MEMBERS PRESENT:**

Ms Johnston (via Webex)  
Ms Rosol (via Webex)  
Ms White (Chair) (via Webex)  
Mr Wood (via Webex)

**APOLOGIES:**

Mr Behrakis  
Mrs Pentland  
Mr Winter

**MINUTES:**

The Chair advised that the minutes from the previous meetings for this inquiry (30 January 2025 and 4 February 2025) are in progress and will be presented at the Committee's next meeting.

**SUBMISSIONS:**

The Committee discussed the *sub judice* principle and submissions received.

Resolved, that submission no. 1 be further redacted prior to publication with the following paragraphs redacted:

- Fourth, fifth, and sixth sentences of the fourth paragraph on page five.
- Fifth paragraph on page five.

- First, second, and third paragraphs on page six.  
(*Ms White*)

**NEXT MEETING:**

At 3.05 p.m., the Committee adjourned until the next meeting at 9.00 a.m. on 17 February 2025.

Confirmed,

**MONDAY, 17 February 2025**

The Committee met at Parliament House, Hobart, in Committee Room 1, and via Webex at 9.31 a.m.

**MEMBERS PRESENT:**

Mr Behrakis (via Webex and telephone)  
Ms Haddad  
Ms Johnston  
Ms Rosol (via Webex)  
Mr Winter  
Mr Wood (via Webex)

\*\*\*

**UPDATED MEMBERSHIP:**

The Secretary advised the Committee that the Chair, Rebecca White MP, resigned as a Member of Parliament on 12 February 2025. In accordance with the Resolution of the House of Assembly establishing this Committee, the Leader of the Opposition advised the Clerk of the House on 12 February 2025 that Ella Haddad MP is nominated to serve as a substantive Member of the Committee to fill the resulting vacancy.

**APOLOGIES:**

*Mrs Pentland*

**ELECTION OF CHAIR:**

As the Chair was vacant, the Deputy Chair, Mr Behrakis, called on the Secretary to conduct an election of the Chair.

The Secretary called for nominations for Chair.

Mr Winter nominated Ms Haddad, seconded by Mr Behrakis.

Ms Haddad consented to the nomination.

There being no further nominations, the Secretary declared Ms Haddad elected as Chair.

Ms Haddad took the Chair.

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**MINUTES:**

*Resolved*, that the minutes of the previous meetings on 30 January 2025, 4 February 2025, and 7 February 2025 be confirmed. (*Ms Johnston*)

**CORRESPONDENCE:**

*Resolved*, that the incoming correspondence be received and that the outgoing correspondence be endorsed.

- a. Incoming
  - i. Letter from Mr Sean Carroll, Tasmanian Racing Integrity Commissioners, dated 12 February 2025.
  - ii. Email from Mike Castles, President of BOTRA, dated 10 February 2025.
- b. Outgoing

- i. Letter to Mr Steve Shinn dated 12 February 2025
- ii. Letter to Ms Janet Ainscow dated 14 February 2025
- iii. Letter to Tasracing dated 14 February 2025
- iv. Letter to Ms Laura Latham dated 14 February 2025.  
(Mr Winter)

Resolved, that the Chair writes to Mr Sean Carroll acknowledging receipt of his letter, advising that this inquiry is a parliamentary proceeding and that it will continue until completion.  
(Mr Winter)

**SUBMISSIONS:**

Resolved, that submission no. 7 be published as requested by the submitter, with personal contact details redacted. (Ms Haddad)

Resolved, that the Committee consider the process by which certain confidential information in submission no. 1 is shared with Tasmania Police at its next meeting. (Ms Haddad)

At 9.57 a.m. Mr Behrakis and Ms Rosol left the meeting.

Suspension of sitting from 9.57 a.m. to 10.03 a.m.

**PUBLIC HEARING:**

At 10.03 a.m. Mr Samuel Thompspon, Acting Executive Director, WorkSafe Tasmania, was called, made the Statutory Declaration, and was examined by the Committee in public.

Public hearing suspended at 10.04 a.m. due to technical difficulties.

Public hearing resumed at 10.05 a.m.

At 10.05 a.m. Mr Damian Davidson, Director Compensation Schemes, WorkSafe Tasmania, was called, made the Statutory Declaration, and was examined by the Committee in public via Webex.

Public hearing suspended at 10.44 a.m. The witnesses withdrew and the room was cleared.

**PRIVATE DELIBERATIVE MEETING:**

At 10.44 a.m. the Committee held a private deliberative meeting to consider moving into an *in camera* hearing to receive confidential evidence.

Resolved, that the Committee proceed to hear evidence from Mr Thompson and Mr Davidson in an *in camera* hearing. (Ms Haddad)

**IN CAMERA HEARING:**

At 10.46 a.m. the Committee commenced an *in camera* hearing with Mr Thompson and Mr Davidson.

At 10.59 a.m. the witnesses withdrew.

Suspension of sitting from 10.59 a.m. to 11.02 a.m.

**PUBLIC HEARING:**

At 11.02 a.m. Mr Andrew Jenkins, Chief Executive Officer, Tasracing, was called, made the Statutory Declaration, and was examined by the Committee in public.

At 11.33 a.m. Ms Rosol returned to the hearing via Webex.

At 12.05 p.m. the witness withdrew.

At 12.05 p.m. Mr Behrakis attended by telephone.

At 12.05 p.m. Ms Haddad withdrew.

**PRIVATE DELIBERATIVE MEETING:**

At 12.05 p.m. the Committee held a private deliberative meeting to elect a *pro tempore* Chair for the remainder of the day's public hearing in the absence of the Chair and Deputy Chair.

The Deputy Chair, Mr Behrakis, called on the Secretary to conduct an election of a *pro tempore* Chair.

The Secretary called for nominations for *pro tempore* Chair.

Ms Johnston nominated Mr Winter, seconded by Mr Behrakis.

Mr Winter consented to the nomination.

There being no further nominations, the Secretary declared Mr Winter elected as *pro tempore* Chair.

Mr Winter took the Chair.

At 12:08 p.m. Mr Behrakis withdrew.

Suspension of sitting from 12.08 p.m. to 12.10 p.m.

**PUBLIC HEARING:**

At 12.10 p.m. Ms Deidre Wilson, Acting Secretary, Ms Anita Yan, Acting Chief Operations Officer, and Mr Robin Thompson, Department of Natural Resources and Environment Tasmania, were called, made the Statutory Declaration, and were examined by the Committee in public.

Public hearing suspended at 1.01 p.m. The witnesses withdrew and the room was cleared.

**PRIVATE DELIBERATIVE MEETING:**

At 1.01 p.m. the Committee held a private deliberative meeting to consider moving into an *in camera* hearing to receive confidential evidence.

*Resolved*, that the Committee proceed to hear evidence from Ms Wilson, Mr Thompson and Ms Yan in an *in camera* hearing. (Ms Johnston)

**IN CAMERA HEARING:**

At 1.02 p.m. the Committee commenced an *in camera* hearing with Ms Wilson, Mr Thompson and Ms Yan.

At 1.03 p.m. Mr Thompson and Ms Yan withdrew.

At 1.11 p.m. Mr Thompson and Ms Yan returned to the *in camera* hearing.

At 1.19 p.m. the witnesses withdrew.

Suspension of sitting from 1.19 p.m. to 1.47 p.m.

**PUBLIC HEARING:**

At 1.47 p.m. Mr Steve Devereux, Chief Executive Officer, Tasmanian Trotting

Club, Mr Noel Salter, Chairman, Tasmanian Trotting Club, and Mr Chester Bullock, President, Launceston Pacing Club, were called, made the Statutory Declaration, and were examined by the Committee in public.

At 2.39 p.m. the witnesses withdrew.

Suspension of sitting from 2.39 p.m. to 2.45 p.m.

At 2.45 p.m. Mr Michael Castles, President, BOTRA Tasmania, and Mr Barrie Rattray were called, made the Statutory Declaration, and were examined by the Committee in public.

Public hearing suspended at 3.34 p.m. The witnesses withdrew and the room was cleared.

**PRIVATE DELIBERATIVE MEETING:**

At 3.34 p.m. the Committee held a private deliberative meeting to consider moving into an *in camera* hearing to receive confidential evidence.

*Resolved*, that the Committee proceed to hear evidence from Mr Castles and Mr Rattray in an *in camera* hearing. (Ms Johnston)

**IN CAMERA HEARING:**

At 3.34 p.m. the Committee commenced an *in camera* hearing with Mr Rattray and Mr Castles.

At 3.54 p.m. the witnesses withdrew.

**ANY OTHER MATTERS:**

*Resolved*, that the Secretariat be authorised to publish the transcripts of

the public hearings to the website, once completed by Hansard, and after the relevant witnesses have had the opportunity to review the transcript for any mistranscriptions within two business days. (Mr Winter)

**NEXT MEETING:**

The meeting adjourned at 3.56 p.m. until 9.00 a.m. 14 March 2025 in Committee Room 1, Parliament House and via Webex.

Confirmed,

**WEDNESDAY, 26 February 2025**

The Committee met at Parliament House, Hobart, in Committee Room 1, and via Webex at 2.02 p.m.

**MEMBERS PRESENT:**

Ms Haddad (via Webex)  
Mr Behrakis (via Webex)  
Ms Johnston  
Ms Rosol (via Webex)

**APOLOGIES:**

Mrs Pentland  
Mr Winter  
Mr Wood

**MINUTES:**

The minutes of the previous meeting for this inquiry (17 February 2025) are in progress and will be considered at the next meeting.

**CORRESPONDENCE:**

*Resolved*, that the incoming correspondence be received and the outgoing correspondence be endorsed.

a. Incoming

- i. Email from Mr Steven Shinn dated 17 February 2025
  - ii. Email from Andrew Jenkins, Tasracing, dated 19 February 2025
- b. Outgoing
- i. Letter from the Chair to Mr Sean Carroll, Tasmanian Racing Integrity Commissioner, dated 25 February 2025

(Mr Behrakis)

*Resolved*, that the Chair sends correspondence to Mr Steven Shinn providing information on providing a submission to the inquiry, particularly matters of parliamentary privilege and confidentiality. (Ms Haddad)

*Resolved*, that the Chair sends correspondence to the Chief Executive Officer, Tasracing, in response to his email dated 19 February 2025, inviting him or his nominee, and Tasracing's legal representative, to attend Parliament House to view the confidential Attachment A of submission no.3 in the office of the Clerk-Assistant and Sergeant-at-Arms to assist Tasracing to determine whether to waive any or all claims of confidentiality. (Ms Haddad)

**SUBMISSIONS:**

*Resolved*, that the Chair sends correspondence to the Commissioner of Police inviting Tasmania Police to attend Parliament House to view all confidential allegations of criminal and unlawful behaviour in submissions

received by the Committee in the office of the Clerk-Assistant and Sergeant-at-Arms. (Ms Haddad)

*Resolved*, that the content of all submissions containing confidential allegations of criminal and unlawful behaviour to be viewed by Tasmania Police, be presented as unredacted at the discretion of the Chair in consultation with the secretariat to ensure that no other confidential information is able to be viewed. (Ms Haddad)

**NEXT MEETING:**

At 2.34 p.m., the Committee adjourned until the next meeting at 8.45 a.m. on 14 March 2025.

Confirmed,

**FRIDAY, 14 March 2025**

The Committee met at Parliament House, Hobart, in Committee Room 1, and via Webex at 8.46 a.m.

**MEMBERS PRESENT:**

Mr Behrakis (from 8.54 a.m. to 10.00 a.m.)  
 Ms Haddad (Chair)  
 Ms Johnston  
 Mrs Pentland (via Webex)  
 Ms Rosol (until 10.59 a.m.)  
 Mr Winter  
 Mr Wood (via Webex)

**APOLOGIES:**

None.

**MINUTES:**

*Resolved*, that the minutes of the previous meetings of 17 February and

26 February 2025 be confirmed.  
(Mr Winter)

**CORRESPONDENCE:**

Resolved, that the outgoing correspondence be endorsed:

- i. Letter from the Chair to Mr Steven Shinn dated 3 March 2025; and
- ii. Letter from the Chair to Andrew Jenkins, Tasracing, dated 6 March 2025. (Ms Johnston)

**SUBMISSIONS:**

Resolved, that submission no. 9 be received and published with personal contact details redacted and an email from Mr Steven Shinn dated 6 March 2025 together with attached documents be received in confidence.  
(Ms Haddad)

Suspension of sitting from 8.54 a.m. to 9.03 a.m.

**PUBLIC HEARING:**

At 9.03 a.m., the Hon. Jane Howlett MP, Minister for Racing, and Ms Deidre Wilson, Acting Chief Operations Officer, Department of Natural Resources and Environment, were called and examined by the Committee in public.

At 9.29 a.m. Mr Wood withdrew.

At 9.34 a.m. Mr Wood returned.

At 10.00 a.m. Mr Behrakis withdrew.

At 10.08 a.m. the witnesses withdrew.

Suspension of sitting from 10.07 a.m. to 10.31 a.m.

At 10.31 a.m. Ms Janet Ainscow was called, made the Statutory Declaration, and was examined by the Committee in public.

At 11.00 a.m. Ms Rosol withdrew.

Ms Ainscow requested an *in camera* hearing to give confidential evidence.

Public hearing suspended and the room was cleared at 11.18 a.m.

**PRIVATE DELIBERATIVE MEETING:**

At 11.18 a.m. the Committee held a private deliberative meeting to deliberate on the request to give *in camera* evidence.

Resolved, that the Committee proceed to hear evidence from Ms Ainscow in an *in camera* hearing. (Ms Haddad)

**IN CAMERA HEARING:**

At 11.20 a.m. the Committee commenced an *in camera* hearing with Ms Ainscow.

At 11.47 a.m. the witness withdrew.

**PRIVATE DELIBERATIVE MEETING:**

At 11.47 a.m. the deliberative meeting resumed.

**ANY OTHER MATTERS:**

Resolved, that Ray Murrehy, Justin Helmich, and Hon. Madeleine Ogilvie MP and Hon. Felix Ellis MP as former Ministers for Racing, be invited to give evidence at a public hearing, and that

Mr Steven Shinn be invited to an *in camera* hearing. (Mr Winter)

**NEXT MEETING:**

At 11.54 a.m., the Committee adjourned to a date to be determined.

Confirmed,

**THURSDAY, 27 March 2025**

The Committee met at Parliament House, Hobart, in Committee Room 1 and via Webex at 2.51 p.m.

**MEMBERS PRESENT:**

Mr Behrakis  
Ms Haddad (Chair)  
Mr Winter  
Mr Wood (via Webex)

**APOLOGIES:**

Ms Johnston  
Mrs Pentland  
Ms Rosol

**MINUTES:**

*Resolved*, that the minutes of the previous meeting of 14 March 2025 be confirmed. (Mr Winter)

**CORRESPONDENCE:**

*Resolved*, that the incoming correspondence be received:

- i. Email from \*\*\* to the Chair dated 11 March 2025.
- ii. Email from Ms Janet Ainscow to Mr Winter dated 17 March 2025 (together with 10 further emails all dated 16 March 2025).

- iii. Email from Mr Andrew Jenkins, Tasracing, dated 20 March 2025. (Ms Haddad)

*Resolved*, that the Chair sends correspondence to \*\*\* offering him an opportunity to appear at an *in camera* hearing on 4 April 2025. (Ms Haddad)

*Resolved*, that the Committee defers consideration of publishing any information provided by Janet Ainscow in her emails dated 16 and 17 March 2025 until the next meeting. (Ms Haddad)

The Committee noted that the secretariat will arrange for the attendance of Tasracing to view the confidential WorkSafe Tasmania Attachment A at Parliament House.

**MATTERS ARISING FROM THE PUBLIC HEARING ON 14 MARCH 2025:**

*Resolved*, that the letter from Minister Howlett to the Tasmanian Racing Integrity Commissioner dated 5 March 2025 tabled at the 14 March 2025 public hearing by the Minister be published. (Ms Haddad)

*Resolved*, that any new criminal or unlawful allegations raised in Ms Ainscow's evidence at the 14 March 2025 public hearing be referred to Tasmania Police. (Ms Haddad)

**IN CAMERA TRANSCRIPTS:**

*Resolved*, that the Chair sends correspondence to witnesses who have given *in-camera* evidence at a hearing in this inquiry, providing them with a copy of their transcript to review for mistranscriptions. (Ms Haddad)

**FUTURE PUBLIC HEARINGS:**

*Resolved*, to hold a public hearing on 4 April 2025 at 9.00 a.m. at Parliament House, Hobart. (Ms Haddad)

*Resolved*, that the Chair sends correspondence to Ray Murrphy expressing the Committee's desire for him to give evidence at a public hearing in this inquiry. (Mr Winter)

**NEXT MEETING:**

At 3.04 p.m., the Committee adjourned to 9.00 a.m. on 4 April 2025.

Confirmed,

**FRIDAY, 4 April 2025**

The Committee met at Parliament House, Hobart, in Committee Room 1, at 8.58 a.m.

**MEMBERS PRESENT:**

Mr Behrakis  
Ms Haddad (Chair)  
Ms Johnston  
Mr Winter

**APOLOGIES:**

Mrs Pentland  
Ms Rosol  
Mr Wood

**MINUTES:**

*Resolved*, that the minutes of the previous meeting on 14 March 2025 be confirmed. (Mr Winter)

**CORRESPONDENCE:**

*Resolved*, that the incoming correspondence be received and that the outgoing correspondence be endorsed:

**a. Incoming**

- i. Response to a Question on Notice (Ms Deidre Wilson), received from Minister Jane Howlett, dated 31 March 2025.
- ii. Email from Mr Steven Shinn dated 1 April 2025.
- iii. Responses to Questions on Notice from Mr Andrew Jenkins, Tasracing, dated 2 April 2025.

**b. Outgoing**

- i. Letter to Ray Murrphy dated 3 April 2025.  
(Mr Winter)

*Resolved*, that Mr Steven Shinn be provided with an opportunity to give evidence in public for a period of 10 minutes, with an *in camera* hearing to proceed for a following 20 minutes on 4 April 2025, \*\*\* (Ms Haddad)

*Resolved*, that the responses to the questions taken on notice by Ms Wilson and Mr Jenkins be published on the Committee's webpage with personal contact details redacted. (Ms Johnston)

*Resolved*, that the Chair sends correspondence to Mr Jenkins requesting him to provide Tasracing's draft fatigue management policy for participants, together with Tasracing's Guidance Note for participants. (Ms Johnston)

**DOCUMENTS PROVIDED BY MS JANET AINSCOW:**

Resolved, that the email correspondence received from Ms Janet Ainscow dated 14 March 2025 be kept confidential to the Committee. (Ms Haddad)

**ANY OTHER MATTERS:**

Resolved, that the Chair sends correspondence to the Honourable Madeleine Ogilvie MP and the Honourable Felix Ellis MP to invite them to a public hearing at a time suitable to them. (Mr Winter)

Suspension of sitting from 9.12 a.m. to 9.16 a.m.

**PUBLIC HEARING:**

At 9.16 a.m. Mr Justin Helmich, Department of Natural Resources and Environment Tasmania, was called, made the Statutory Declaration, and was examined by the Committee in public.

At 10.00 a.m. the witness withdrew.

Suspension of sitting from 10.01 a.m. to 10.07 a.m.

At 10.07 a.m. Mr Steven Shinn was called, made the Statutory Declaration, and was examined by the Committee in public via Webex.

**IN CAMERA HEARING:**

At 10.25 a.m. the Committee commenced an *in camera* hearing with Mr Shinn.

At 10.38 the witness withdrew.

Suspension of sitting from 10.38 a.m. to 10.39 a.m.

At 10.39 a.m. \*\*\* was called, made the Statutory Declaration, and was examined by the Committee in private.

At 11.10 a.m. the witness withdrew.

**NEXT MEETING:**

At 11.10 a.m., the Committee adjourned to a date to be determined.

Confirmed,

**THURSDAY, 22 May 2025**

The Committee met at Parliament House, Hobart, in Committee Room 1, and via Webex at 1.19 p.m.

**MEMBERS PRESENT:**

Ms Behrakis  
Ms Haddad (Chair)  
Ms Johnston  
Mrs Pentland  
Mr Winter

**APOLOGIES:**

Ms Rosol  
Mr Wood

**MINUTES:**

Resolved, that the minutes of the previous meeting on 4 April 2025 be confirmed. (Mr Winter)

**CORRESPONDENCE:**

Resolved, that the incoming correspondence be received and that the outgoing correspondence be endorsed:

- c. Incoming
  - i. Response to a Question on Notice from WorkSafe Tasmania received 3 April 2025.

- ii. Letter from Hon. Felix Ellis MP dated 17 April 2025.
  - iii. Email from Hon. Madeleine Ogilvie MP to the Chair dated 29 April 2025.
  - iv. Responses to Questions from WorkSafe Tasmania, arising from an *in camera* hearing, dated 2 May 2025.
  - v. Response to Questions on Notice from Minister Howlett received 7 May 2025.
  - vi. Response to Questions on Notice from Mr. Justin Helmich received 16 May 2025.
- d. Outgoing
- i. Two letters from the Chair to Hon. Felix Ellis MP and Hon. Madeleine Ogilvie MP dated 14 April 2025.
  - ii. Seven letters from the Chair to all witnesses appearing at *in camera* hearings attaching draft *in camera* transcripts dated 16 April 2025.
  - iii. Letter from the Chair to Mr. Andrew Jenkins, Tasracing, dated 12 May 2025.
- (Ms Haddad)

*Resolved*, that the responses to the questions taken on notice received

from WorkSafe Tasmania dated 3 April 2025 and from Minister Howlett be published on the Committee's webpage with personal contact details redacted. (Ms Haddad)

*Resolved*, that the Chair write to Minister Howlett in relation to her response to the questions taken on notice. (Ms Haddad)

*Resolved*, that the Chair write to WorkSafe Tasmania regarding its ongoing claim of confidentiality in their responses to questions on notice from an *in camera* hearing. (Ms Haddad)

*Resolved*, that the responses to the questions taken on notice received from Mr. Justin Helmich dated 16 May 2025 be published on the Committee's webpage, with the confidential matters requested by, and the personal contact details of, Mr. Helmich be redacted. (Ms Haddad)

**NEXT STEPS FOR THIS INQUIRY:**

*Resolved*, that the Chair sends correspondence to Minister Ellis and Minister Ogilvie providing a further invitation to appear at a public hearing. (Ms Haddad)

*Resolved*, that the Chair contacts Minister Howlett and her office to request assistance in obtaining Mr. Ray Murrhy's contact details. (Ms Johnston)

*Resolved*, that the Chair publish a media release regarding the status of the Short Inquiry after the Secretariat

circulates a draft for Members' consideration. (Ms Haddad)

**NEXT MEETING:**

At 2.04 p.m. the Committee adjourned to a date to be determined.

**WEDNESDAY, 24 September 2025**

The Committee met at Parliament House, Hobart, in Committee Room 1, at 2.02 p.m.

**MEMBERS PRESENT:**

Ms Brown  
Mr Fairs  
Mr George  
Ms Haddad (Chair)  
Mr Jaensch  
Ms Johnston  
Ms Rosol

**APOLOGIES:**

There were no apologies.

\*\*\*

**WORK OF THE COMMITTEE:**

\*\*\*

*Resolved*, that all evidence and papers received by the short inquiry into the Tasmanian Government's response to serious allegations within harness racing, of the Standing Committee on Government Administration B, of the 51<sup>st</sup> Parliament, be received by this Committee for its consideration. (Ms Haddad)

The Committee discussed proxy arrangements for the reestablished inquiries. Members discussed notifying

the Chair and Secretary of any proxy arrangements as soon as practicable.

\*\*\*

**NEXT MEETING:**

At 2.27 p.m., the Committee adjourned to a date to be determined.

Confirmed,

**FRIDAY, 10 October 2025**

The Committee met at Parliament House, Hobart, in Committee Room 1, at 11.03 a.m.

**MEMBERS PRESENT:**

Mr George  
Ms Haddad (Chair)  
Mr Jaensch (via Webex)  
Ms Johnston (via Webex)  
Ms Rosol (via Webex)  
Mr Winter

**APOLOGIES:**

Mr Fairs

**PROXY ARRANGEMENTS:**

The Chair advised that she has received written notice from Ms Brown that Mr Winter will be her proxy for the duration of this inquiry.

**MINUTES:**

*Resolved*, that the minutes from the previous meeting on 22 May 2025 be confirmed. (Ms Haddad)

**PROCESS FOR THE INQUIRY:**

*Resolved*, that the Chair sends correspondence to Minister Ellis and Minister Ogilvie providing a further

invitation to appear at a public hearing.  
(Ms Haddad)

*Resolved*, that the Chair sends correspondence to Tasracing seeking its position on whether to waive any or all claims of confidentiality regarding the confidential Attachment A of submission no.3. (Ms Haddad)

*Resolved*, that the following persons be invited to provide evidence at a public hearing:

- Mr Sean Carroll, Tasmanian Racing Integrity Commissioner; and
- Mr Bruce Free. (Ms Haddad)

*Resolved*, that the Chair write to stakeholders involved with this inquiry to notify of its recommencement, with an explanation for the delay brought about by the prorogation of the 51<sup>st</sup> Parliament. (Ms Haddad)

#### **CORRESPONDENCE:**

*Resolved*, that the incoming correspondence be received and the outgoing correspondence be endorsed:

- a. Incoming
  - i. Letter from Mr David Manshanden, Acting Chief Executive Officer, Tasracing, dated 23 May 2025.
  - ii. Letter from Mr Brad Parker, Executive Director, WorkSafe

Tasmania, dated 4 June 2025.

- iii. Letter from Hon. Jane Howlett MP, Minister for Racing, dated 10 June 2025.
- iv. Email from Acting Commander Louise O'Connor, Tasmania Police, dated 11 June 2025.

#### **b. Outgoing**

- i. Letter to Mr Brad Parker, Executive Director, Worksafe Tasmania, dated 30 May 2025.
- ii. Letter to Hon. Jane Howlett MP, Minister for Racing, dated 30 May 2025.
- iii. Further invitation to former Minister for Racing, Hon. Felix Ellis MP, dated 30 May 2025.
- iv. Further invitation to former Minister for Racing, Hon. Madeleine Ogilvie MP, dated 30 May 2025.
- v. Letter to Commissioner Donna Adams, Tasmania Police, dated 5 June 2025.

(Ms Haddad)

*Resolved*, that the incoming correspondence from Tasracing and Minister Howlett be published on the inquiry's webpage. (Ms Haddad)

*Resolved*, that the Chair sends correspondence to Tasmania Police inviting them to view allegations of criminal and/or unlawful activity in an unredacted version of submission No. 1 at Parliament House. (Ms Haddad)

*Resolved*, that the Chair sends correspondence to WorkSafe Tasmania regarding its ongoing claim of confidentiality in their responses to questions on notice from an *in camera* hearing. (Ms Haddad)

**NEXT MEETING:**

At 11.43 a.m., the Committee adjourned until the next meeting at 8.45 a.m. on 20 October 2025.

Confirmed,

**MONDAY, 20 October 2025**

The Committee met at Parliament House, Hobart, in Committee Room 1, at 8.45 a.m.

**MEMBERS PRESENT:**

Mr Fairs (via Webex)  
Mr George  
Ms Haddad (Chair)  
Mr Jaensch (via Webex)  
Ms Johnston  
Ms Rosol  
Mr Winter (via Webex)

**APOLOGIES:**

There were no apologies.

**MINUTES:**

*Resolved*, that the minutes from the previous meeting on 10 October 2025 be confirmed. (Ms Haddad)

**CORRESPONDENCE:**

*Resolved*, that the outgoing correspondence be endorsed:

- i. Further invitation to former Minister for Racing, Hon. Felix Ellis MP, dated 10 October 2025.
- ii. Further invitation to former Minister for Racing, Hon. Madeleine Ogilvie MP, dated 10 October 2025.

(Ms Haddad)

**NEXT STEPS FOR THE INQUIRY:**

*Resolved*, that a draft Special Report be prepared by the Chair in relation to the Hon. Felix Ellis MP and the Hon. Madeleine Ogilvie MP declining multiple invitations of the Committee to appear at a public hearing for consideration by the Committee at its next meeting. (Ms Johnston)

*Resolved*, that the Chair sends correspondence to the Hon. Felix Ellis MP and the Hon. Madeleine Ogilvie MP advising of the Committee's decision to draft the Special Report. (Ms Johnston)

**NEXT MEETING:**

At 9.16 a.m., the Committee adjourned until the next meeting at 4.15 p.m. on 28 October 2025.

Confirmed,

**FRIDAY, 24 October 2025**

The Committee met at Parliament House, Hobart, in Committee Room 1, at 9.02 a.m.

**MEMBERS PRESENT:**

*Ms Haddad* (Chair)  
*Mr Jaensch* (via Webex)  
*Ms Johnston* (via Webex)  
*Ms Rosol* (via Webex)  
*Mr Winter* (via Webex)

**APOLOGIES:**

*Mr Fairs*

**MINUTES:**

*Resolved*, that the minutes from the previous meeting on 10 October 2025 be confirmed. (*Ms Haddad*)

**CORRESPONDENCE:**

*Resolved*, that the incoming correspondence be received and outgoing correspondence be endorsed:

- a. Incoming
  - i. Letter to the Chair signed by the Hon. Felix Ellis MP and the Hon. Madeleine Ogilvie MP, undated, received on 21 October 2025.
- b. Outgoing
  - i. Letters from the Chair to the Hon. Felix Ellis MP and the Hon. Madeleine Ogilvie MP dated 20 October 2025.  
(*Ms Johnston*)

The Committee discussed the incoming correspondence from Mr Ellis and Ms Ogilvie and their proposal for the Committee to submit written questions relevant to the times they were the responsible Ministers, through the Minister of Racing, the Hon. Jane Howlett MP, and that they would assist Minister Howlett to respond to the Committee.

The Committee considered its preferences for receiving evidence from Mr Ellis and Ms Ogilvie; the precedents for former Ministers, who were also current Members of the House, being requested to appear before parliamentary committees to give evidence; and the probable timeframe of, and quality of evidence from, a questions and responses process via Minister Howlett.

*Resolved*, that the Chair sends correspondence to the Hon. Felix Ellis MP and the Hon. Madeleine Ogilvie MP advising of the Committee's decision to proceed with the Special Report but offering a further invitation to appear voluntarily before the Committee at a public hearing. (*Ms Haddad*)

**NEXT MEETING:**

At 9.21 a.m., the Committee adjourned until 4.15 p.m. on 28 October 2025.

Confirmed,

**TUESDAY, 28 October 2025**

The Committee met at Parliament House, Hobart, in Committee Room 1, at 4.16 p.m.

**MEMBERS PRESENT:**

Mr Fairs (via Teams)  
 Ms Haddad (Chair)  
 Mr Jaensch (via Teams)  
 Ms Johnston  
 Ms Rosol  
 Mr Winter

**APOLOGIES:**

Mr George

**MINUTES:**

*Resolved*, that the minutes from the previous meeting on 24 October 2025 be confirmed. (Ms Haddad)

**CORRESPONDENCE:**

*Resolved*, that the incoming correspondence be received and the outgoing correspondence be endorsed:

- a. Incoming:
  - i. Letter from the Hon. Felix Ellis MP and the Hon. Madeleine Ogilvie MP, undated, received 28 October 2025.
- b. Outgoing:
  - i. Letters from the Chair to the Hon. Felix Ellis MP and the Hon. Madeleine Ogilvie MP dated 24 October 2025.

(Ms Haddad)

*Resolved*, that the Hon. Felix Ellis MP and the Hon. Madeleine Ogilvie MP be provided with dates to appear at a

public hearing of the Committee. (Ms Haddad)

**CHAIR'S DRAFT SPECIAL REPORT:**

*Resolved*, that the consideration of the Chair's draft Special Report be deferred to a later meeting. (Ms Haddad)

*Resolved*, that the Chair sends correspondence to the Hon. Felix Ellis MP and the Hon. Madeleine Ogilvie MP advising of the Committee's decision to defer consideration of the Special Report, and offering Friday 5 December 2025, Monday 8 December 2025 and Tuesday 9 December 2025 to attend a public hearing. (Ms Haddad)

**NEXT MEETING:**

At 4.36 p.m., the Committee adjourned to a date to be determined.

Confirmed,

**TUESDAY, 9 December 2025**

The Committee met at Parliament House, Hobart, in Committee Room 1, at 8.45 a.m.

**MEMBERS PRESENT:**

Mr George  
 Ms Haddad (Chair)  
 Mr Jaensch (via Teams)  
 Ms Johnston  
 Mr Winter

**APOLOGIES:**

Mr Fairs  
 Ms Rosol

**MINUTES:**

*Resolved*, that the minutes from the previous meeting on 28 October 2025 be confirmed. (Ms Johnston)

**CORRESPONDENCE:**

*Resolved*, that the incoming correspondence be received and the outgoing correspondence be endorsed:

a. Incoming:

- i. Letter from the Hon. Felix Ellis MP and the Hon. Madeleine Ogilvie MP to the Chair dated 31 October 2025.
- ii. Email from Andrew Jenkins, Chief Executive Officer, Tasracing, dated 7 November 2025.
- iii. Letter from Brad Parker, Executive Director, WorkSafe Tasmania, dated 10 November 2025.

b. Outgoing:

- i. Letters from the Chair to the Hon. Felix Ellis MP and the Hon. Madeleine Ogilvie MP dated 29 October 2025.
- ii. Letter from the Chair to the Commissioner Donna Adams APM, Tasmania Police, dated 31 October 2025.
- iii. Letter from the Chair to Andrew Jenkins, Chief Executive Officer, Tasracing, dated 31 October 2025.
- iv. Letter from the Chair to Brad Parker, Executive Director, WorkSafe

Tasmania, dated 31 October 2025.

- v. Letter from the Chair to the Hon. Felix Ellis MP dated 5 November 2025.
- vi. Letter from the Chair to the Hon. Madeleine Ogilvie MP dated 5 November 2025.
- vii. Letter from the Chair to Sean Carroll, Tasmanian Racing Integrity Commissioner, dated 5 November 2025.

(Ms Haddad)

*Resolved*, that Submission No. 3 (WorkSafe Tasmania) be republished on the inquiry's webpage with Attachment A unredacted as Tasracing has made no claim that the data contained therein is commercial in confidence. (Ms Haddad)

*Resolved*, that the Secretariat be authorised to publish the transcripts of public hearings to the inquiry's website, once completed by Hansard and after the relevant witnesses have had the opportunity to review the transcript for mistranscriptions within two business days. (Ms Haddad)

The Committee noted that Tasmania Police viewed the unredacted submission no. 1 (Janet Ainscow) at Parliament House of 17 November 2025 and are seeking to contact the submitter.

*Resolved*, that the Chair write to Mr Ray Murrhiy to provide a further

opportunity to participate in the inquiry. (Ms Johnston)

Suspension of sitting from 8.57 a.m. to 9.02 a.m.

**PUBLIC HEARING:**

At 9.02 a.m. the Hon. Madeleine Ogilvie MP, as a former Minister for Racing, was called; and Mr Jason Jacobi, Secretary, and Ms Deidre Wilson, Chief Operating Officer, and Department of Natural Resources and Environment, were called, made the Statutory Declaration, and were examined by the Committee in public via Teams.

At 9.55 a.m. the witnesses withdrew.

Suspension of sitting from 9.55 a.m. to 10.03 a.m.

At 10.03 a.m. the Hon. Felix Ellis MP, as a former Minister for Racing, was called via Teams; and Mr Jason Jacobi, Secretary, and Ms Deidre Wilson, Chief Operating Officer, and Department of Natural Resources and Environment, were called, and were examined by the Committee in public.

Mr Jacobi requested an *in camera* hearing to give confidential evidence.

Public hearing suspended at 10.42 a.m. The witnesses withdrew and the room was cleared.

**PRIVATE DELIBERATIVE MEETING:**

At 10.42 a.m. the Committee held a private deliberative meeting to deliberate on the request to give *in camera* evidence.

*Resolved*, that the Committee proceed to hear evidence from the witnesses in an *in camera* hearing. (Ms Haddad)

**IN CAMERA HEARING:**

At 10.45 a.m. the Committee commenced an *in camera* hearing with Ms Wilson and Mr Jacobi.

At 10.49 a.m. Hon. Felix Ellis MP returned via Teams. Mr Adam Foster, Minister Ellis's Chief of Staff, was also present via Teams.

At 10.57 a.m. the witnesses withdrew.

Suspension of sitting from 10.57 a.m. to 11.02 a.m.

**PUBLIC HEARING:**

At 11.02 a.m. Mr Sean Carroll, Tasmanian Racing Integrity Commissioner, Office of the Tasmanian Racing Integrity Commissioner, was called, made the Statutory Declaration, and was examined by the Committee in public.

Public hearing suspended and the room was cleared at 11.36 a.m.

**PRIVATE DELIBERATIVE MEETING:**

At 11.36 a.m., the Committee held a private deliberative meeting to consider moving into an *in camera* hearing to receive confidential evidence.

*Resolved*, that the Committee proceed to hear evidence from Mr Carroll in an *in camera* hearing. (Ms Haddad)

**IN CAMERA HEARING:**

At 11.38 a.m. the Committee commenced an *in camera* hearing with Mr Carroll.

At 11.56 a.m. the witness withdrew.

**PRIVATE DELIBERATIVE MEETING:**

At 11.56 a.m. the deliberative meeting resumed.

At 11.58 a.m. Mr Winter withdrew.

At 12.00 p.m. Mr Winter returned.

**NEXT STEPS:**

*Resolved*, that the Chair write to Mr Bruce Free, inviting him to make a submission to this inquiry rather than appearing at a hearing of the Committee. (Ms Johnston)

*Resolved*, that the Committee hold report deliberative meetings on Tuesday, 17 February 2026, from 1.00 p.m., and Friday 13 March 2026 from 9.00 a.m. (Ms Haddad)

**NEXT MEETING:**

At 12.23 p.m. the Committee adjourned until Tuesday, 17 February 2026 at 1.00 p.m.

Confirmed,

**TUESDAY, 17 February 2026**

The Committee met at Parliament House, Hobart, in Committee Room 1, at 1.01 p.m.

**MEMBERS PRESENT:**

Ms Haddad (Chair)  
Mr Jaensch (via Teams)  
Ms Johnston

Ms Rosol (via Teams)

Mr Winter

**APOLOGIES:**

Mr Fairs

Mr George

**MINUTES:**

*Resolved*, that the minutes from the previous meeting on 9 December 2025 be confirmed. (Mr Winter)

**CORRESPONDENCE:**

*Resolved*, that the incoming correspondence be received and the outgoing correspondence be endorsed:

a. Incoming:

- i. Response to Questions on Notice from Mr Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, dated 7 January 2026.
- ii. Response to Questions on Notice from Mr Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, dated 13 January 2026, including seven partially redacted attachments.
- iii. Response to Questions on Notice from former Minister for Racing, Hon. Madeleine Ogilvie MP, dated 13 January 2026, including three attachments.

- iv. Response to Questions on Notice from former Minister for Racing, Hon. Felix Ellis MP, dated 16 January 2026.
- b. Outgoing:
  - i. Letter from Chair to former Minister for Racing, Hon. Madeleine Ogilvie MP, including questions on notice, dated 19 December 2025.
  - ii. Letter from Chair to former Minister for Racing, Hon. Felix Ellis MP, including questions on notice, dated 19 December 2025.
  - iii. Two letters from Chair to Mr Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, including questions on notice, both dated 19 December 2025.
  - iv. Two letters from the Chair to witnesses who appeared at *in camera* hearings on 9 December 2025, enclosing draft *in camera* transcripts, both dated 19 December 2025.
  - v. Letter from Chair to Mr Bruce Free, dated 19 December 2025.
  - vi. Letter from Chair to Mr Ray Murrehy, dated 19 December 2025.  
(Ms Haddad)

*Resolved*, that the Responses to the Questions on Notice from Mr Jacobi, Minister Ogilvie, and Minister Ellis be published on the inquiry's webpage with personal contact details redacted.  
(Ms Haddad)

*Resolved*, that the Chair write to Mr Jacobi in relation to his letter of 13 January 2026 and redacted attachments.  
(Ms Johnston)

**TIMELINE FOR COMPLETING THIS INQUIRY:**

The Committee considered a draft letter from the Chair to stakeholders updating them on the inquiry and agreed to include an indication that the final report will be tabled in the first half of 2026.

**PRELIMINARY CONSIDERATION OF THE CHAIR'S DRAFT REPORT:**

The Committee undertook preliminary consideration of the Chair's Draft Report.

Sitting suspended from 2.30 p.m. to 2.40 p.m.

At 2.40 p.m. the preliminary consideration of the Chair's Draft Report continued.

**NEXT MEETING**

At 5.07 p.m. the Committee adjourned until Friday, 13 March 2026 at 9.00 a.m.

Confirmed,

**FRIDAY, 13 March 2026**

The Committee met at Parliament House, Hobart, in Committee Room 1, at 8.58 a.m.

**MEMBERS PRESENT:**

Ms Haddad (Chair)  
 Mr George  
 Mr Jaensch  
 Ms Johnston  
 Ms Rosol (via Teams)  
 Mr Winter (from 9.10 a.m.)

**APOLOGIES:**

Mr Fairs

**MINUTES:**

Resolved, that the minutes from the previous meeting on 17 February 2026 be confirmed. (Ms Haddad)

**CORRESPONDENCE:**

Resolved, that the incoming correspondence be received and the outgoing correspondence be endorsed:

- a. Incoming:
  - i. Letter from Mr Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, dated 6 March 2026.
- b. Outgoing:
  - i. Letter from Chair to Stakeholders dated 20 February 2026.
  - ii. Letter from Chair to Mr Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, dated 20 February 2026.  
 (Ms Haddad)

**CONSIDERATION OF CHAIR'S DRAFT REPORT**

The Committee continued the preliminary consideration of the Chair's Draft Report.

At 9.10 a.m. Mr Winter joined the meeting.

The preliminary consideration of the Chair's Draft Report continued.

At 11.01 a.m. Mr Winter withdrew.

The preliminary consideration of the Chair's Draft Report continued.

Sitting suspended from 11.07 a.m. to 11.19 a.m.

At 11.19 a.m., Mr Winter returned.

At 11.19 a.m. the preliminary consideration of the Chair's Draft Report continued.

At 12.02 p.m., Ms Rosol withdrew.

Sitting suspended from 12.02 p.m. to 1.06 p.m.

**ANY OTHER MATTERS**

At 1.06 p.m., the Committee agreed to the following meeting dates:

- Monday 20 April 2026 between 9.00 a.m. and 2.30 p.m.
- Friday 24 April 2026 between 1.00 p.m. and 5.00 p.m.
- Friday 8 May 2026 between 2.00 p.m. and 5.00 p.m.
- Thursday 14 May 2026 between 9.00 a.m. and 1.00 p.m.

**CONSIDERATION OF CHAIR'S DRAFT REPORT**

At 1.13 p.m. the preliminary consideration of the Chair's Draft Report continued.

At 1.15 p.m. Ms Rosol returned via Teams.

The preliminary consideration of the Chair's Draft Report continued.

At 2.46 p.m. Ms Rosol withdrew.

The preliminary consideration of the Chair's Draft Report continued.

Sitting suspended from 2.48 p.m. to 3.00 p.m.

At 3.00 p.m. the preliminary consideration of the Chair's Draft Report continued.

#### **ANY OTHER MATTERS**

*Resolved*, that the Secretary sends correspondence to stakeholders once the Final Report is agreed notifying them of the tabling date. (Ms Johnston)

#### **NEXT MEETING**

At 4.38 p.m. the Committee adjourned until Monday, 20 April 2026 at 9.00 a.m.

Confirmed,

#### **MONDAY, 20 April 2026**

The Committee met at Parliament House, Hobart, in Committee Room 1, at 9.05 a.m.

#### **MEMBERS PRESENT:**

Ms Haddad (Chair)  
Mr Fairs (via Teams)  
Mr George  
Ms Johnston  
Ms Rosol (via Teams)

#### **APOLOGIES:**

Mr Jaensch  
Mr Winter

#### **MINUTES:**

*Resolved*, that the minutes from the previous meeting on 13 March 2026 be confirmed. (Ms Johnston)

#### **CONSIDERATION OF THE CHAIR'S DRAFT REPORT:**

The Committee continued the preliminary consideration of the Chair's Draft Report.

Sitting suspended from 10.45 a.m. to 11.02 a.m.

At 11.02 a.m. the preliminary consideration of the Chair's Draft Report continued.

At 11.52 a.m., Mr Fairs withdrew.

The preliminary consideration of the Chair's Draft Report continued.

#### **NEXT MEETING**

At 12.42 p.m. the Committee adjourned until Friday, 24 April 2026 at 1.00 p.m.

Confirmed,

#### **FRIDAY, 24 April 2026**

The Committee met at Parliament House, Hobart, in Committee Room 1, at 1.04 p.m.

#### **MEMBERS PRESENT:**

Ms Haddad (Chair)  
Mr Fairs (via Teams)  
Mr George (from 2.05 p.m.) (via Teams)  
Mr Jaensch (via Teams)

Ms Johnston  
Ms Rosol (via Teams)  
Mr Winter

**APOLOGIES:**

None

**MINUTES:**

Resolved, that the minutes, as amended, from the previous meeting on 20 April 2026 be confirmed. (Ms Johnston)

**CONSIDERATION OF CHAIR'S DRAFT REPORT:**

The Committee commenced consideration of the Chair's Draft Report.

The paragraphs, findings, and recommendations in Chapter 2, as amended and as agreed, stand part of the Report, being:

Paragraph 2.1 to 2.12, agreed to.  
New paragraphs 2.13 to 2.17 inserted, agreed to.  
Paragraphs 2.18 to 2.40, agreed to.  
Finding 1, agreed to.  
Finding 2, as amended, agreed to.  
Finding 3, agreed to.  
Finding 4, as amended, agreed to.  
Findings 5 and 6, agreed to.  
Findings 7 to 9, as amended, agreed to.  
Findings 10 to 13, agreed to.  
Findings 14 and 15, as amended, agreed to.  
New Finding 16 inserted, agreed to.  
Findings 17 to 19, agreed to.  
Findings 20 and 21, as amended, agreed to.  
New Finding 22 inserted, agreed to.  
Recommendations 1 to 3, as amended, agreed to.

At 2.05 p.m. Mr George joined the meeting.

The paragraphs, findings, and recommendations in Chapter 3, as amended and as agreed, stand part of the Report, being:

Paragraphs 3.1 to 3.14, agreed to.  
Findings 23 to 28, as amended, agreed to.  
Recommendations 4 and 5, as amended, agreed to.

Sitting suspended from 2.55 p.m. to 3.15 p.m.

At 3.15 p.m. the Committee's consideration of the Chair's Draft Report continued.

The paragraphs in Chapter 1, as agreed, stand part of the Report, being:

Paragraphs 1.1 to 1.29, agreed to.

The paragraphs, findings, and recommendations in Chapter 4, as amended and as agreed, stand part of the Report, being:

Paragraphs 4.1, agreed to.  
Paragraph 4.2, as amended, agreed to.  
Paragraphs 4.3 to 4.15, agreed to.  
Finding 29 agreed to.  
Finding 30, as amended, agreed to.  
Finding 31, agreed to.  
Recommendation 6, as amended, agreed to.

The paragraphs, findings, and recommendations in Chapter 5, as

amended and as agreed, stand part of the Report, being:

Paragraphs 5.1 to 5.38, agreed to.  
Finding 32, agreed to.  
Findings 33 and 34, as amended, agreed to.  
Finding 35, agreed to.  
Findings 36 and 37, as amended, agreed to.  
Finding 38, agreed to.  
Finding 39, as amended, agreed to.  
Recommendation 7, as amended, agreed to.

The paragraphs, findings, and recommendations in Chapter 6, as amended and as agreed, stand part of the Report, being:

Paragraphs 6.1 to 6.14, agreed to.  
New paragraph 6.15 inserted, agreed to.  
Findings 40 and 41, agreed to.  
Finding 42, as amended, agreed to.  
Finding 43, agreed to.  
Finding 46 moved to be Finding 44, agreed to.  
Finding 45, agreed to.  
New Finding 46 inserted, agreed to.  
Recommendations 8 and 9, as amended, agreed to.  
Paragraphs 6.16 to 6.37, agreed to.  
New paragraph 6.38 inserted, agreed to.  
Paragraphs 6.39 to 6.42, agreed to.  
Findings 47 and 48, agreed to.  
Finding 49, as amended, agreed to.  
Findings 50 to 52, agreed to.  
Findings 53 and 54, as amended, agreed to.  
Recommendations 10 to 12, as amended, agreed to.

Paragraphs 6.43 agreed to.  
Paragraphs 6.44 and 6.45, as amended, agreed to.  
Paragraphs 6.46 to 6.48, agreed to.  
Finding 55, agreed to.  
Findings 56, as amended, agreed to.  
Finding 57, agreed to.  
Recommendations 13 to 15, as amended, agreed to.

The Appendices, as read and agreed to, stand part of the Report.

*Resolved*, that the Chair's Draft Report (as amended) be the Report of the Committee. (Ms Haddad)

*Resolved*, that the Report is to be tabled on Tuesday 5 May 2026.

*Resolved*, that the Secretary has administrative oversight of the Report, and may change references, spelling, layout and other such matters for accuracy. (Ms Haddad)

At 4.23 p.m. the Committee adjourned *sine die*.

Unconfirmed,

## Appendix D - Glossary of Definitions

<b>ABC</b>	Australian Broadcasting Corporation
<b>AGM</b>	Annual General Meeting
<b>AHRR</b>	Australian Harness Racing Rules
<b>BOTRA</b>	Breeders, Owners, Trainers, Reinspersons Association Tasmania
<b>CCTV</b>	Closed-Circuit Television
<b>DPAC</b>	Department of Premier and Cabinet
<b>HIF</b>	Harness Industry Forum
<b>ISP</b>	Independent Stewards Panel
<b>MP</b>	Member of the House of Assembly
<b>NRE Tas</b>	Department of Natural Resources and Environment Tasmania
<b>ORI</b>	Office of Racing Integrity
<b>PCBU</b>	Person Conducting a Business or Undertaking
<b>RSPCA</b>	Royal Society for the Prevention of Cruelty to Animals
<b>TAB</b>	Totalisator Agency Board
<b>TasRIC</b>	Tasmanian Racing Integrity Commissioner
<b>The Committee</b>	House of Assembly Standing Committee on Government Administration B
<b>The Monteith Review</b>	The Review of the Racing Regulation Act 2004: Securing the Integrity of the Tasmanian Racing Industry
<b>The Murrhy Review</b>	The independent investigation and review into matters of alleged team driving and/or, race fixing, and animal welfare concerns relating to the harness racing industry and the management of those issues by the Office of Racing Integrity
<b>ToR</b>	Terms of Reference
<b>TRAB</b>	Tasmanian Racing Appeals Board
<b>WHS Act</b>	<i>Work Health and Safety Act 2012 (Tas)</i>
<b>WRC Act</b>	<i>Workers Rehabilitation and Compensation Act 1988 (Tas)</i>
<b>WST</b>	WorkSafe Tasmania

**Appendix E – Transcripts of Evidence**