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THE HOUSE OF ASSEMBLY GOVERNMENT ADMINISTRATION COMMITTEE B MET IN COMMITTEE ROOM 1, PARLIAMENT HOUSE, HOBART ON FRIDAY, 14 MARCH 2025.

SHORT INQUIRY INTO THE TASMANIAN GOVERNMENT'S RESPONSE TO SERIOUS ALLEGATIONS WITHIN HARNESS RACING

The Committee met at 9.03 a.m.

CHAIR (Ms Haddad) - Welcome to today's hearing of the inquiry into the Tasmanian Government's response to serious allegations within the harness racing industry. Could I ask you, Minister, and Ms Wilson, to state your name and the capacity in which you're appearing before the committee today?

Ms HOWLETT - Certainly. Minister for Racing, Jane Howlett.

Ms WILSON - Deidre Wilson, Acting Chief Operations Officer, Department of Natural Resources.

CHAIR - Thank you. Can I confirm that you have received and read the guide sent to you by the committee secretary?

Ms HOWLETT - Yes.

Ms WILSON - Yes.

CHAIR - This hearing is covered by parliamentary privilege, as you know, which allows individuals to speak with freedom without fear of being sued or questioned in any court or place outside of parliament. As is the case in the Chamber, this protection is not accorded to you if your statements that you make may be defamatory and you repeat them or refer to them outside of these proceedings.

The hearing is public; public and media may be present or watching online. Should you wish aspects of your evidence to be heard in private, you can make that request to the committee. We'll have a short deliberative meeting to move into an in-camera session, if that's what you require.

Neither of you need to make the statutory declaration, so we'll finish the formal matters there, and ask you, Minister, if you would like to start with an opening statement.

Ms HOWLETT - Thank you, Chair. I'm joined at the table by Ms Deidre Wilson, Acting Chief Operations Officer at the Department of Natural Resource and Environment Tasmania (NRE Tas). To my left I have Luke Gaetani, Senior Adviser to me, who won't be taking any questions. Due to some ABC reporting this morning, I've requested that Mr Sean Carroll, Tasmanian Racing Integrity Commissioner, be available to be called in by the committee, if required.

CHAIR - At a future date?

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Ms HOWLETT - No, he's outside now. It was mentioned on the ABC radio this morning that he would be appearing in front of the committee.

CHAIR - Okay. I believe that was based on advice from your office.

Ms HOWLETT - It certainly wasn't based on advice from my office.

CHAIR - That's not my understanding.

Ms HOWLETT - No. It certainly wasn't based on advice from my office.

CHAIR - You know all the members of the committee. I don't think we need to take up the committee's time in introducing them. I will note that we have Mr Wood online joining us remotely. We might just open it up to questions.

Ms HOWLETT - I have an opening statement.

CHAIR - I thought that was your opening. Go ahead.

Ms HOWLETT - Thank you, Chair. I would like to thank the committee members for the opportunity to appear today. I'll keep this opening statement brief, but I'll not be going over my written submission to the inquiry that I have provided. It's important, however, to get some important facts on the record for the committee.

Matters of integrity are vital to the continued success of the harness racing industry within Tasmania. The Government has thanked Mr Murrphy for his final report on the independent review undertaken into harness racing in Tasmania. The review was announced by the Tasmanian Government on 27 March 2023 and received on 28 November 2023. 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 Murrphy. We dealt with the matters the committee is considering the best way that we could at the time, considering regulatory and legislative constraints.

Since then, we've certainly come a long way through the Government's legislative reform. The committee would also be aware that I'll be not able, nor will I, comment on matters that are currently being prosecuted before the criminal courts or are subject to Tasmanian Racing Appeal Board (TRAB) appeal.

We have delivered the largest integrity reforms in decades through the Racing Regulation and Integrity Bill, which is based on evidence and industry best practice, as recommended in the Monteith review, just like I said we would. I would certainly like to thank Mr Murrphy and his strong recommendations on this.

I will take questions, and I would like to advise the committee that following the first hearing of this committee on 17 February, I have written to the Tasmanian Racing Integrity Commissioner, Mr Sean Carroll. 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.

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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.

I thank you, and I welcome any questions.

Mr WINTER - Thanks for being here, Minister. You mentioned you've had two stints as the Racing Minister and the Murrhiy review occurred while you weren't there. However, a lot of the - in fact, most, potentially all - of the accusations that were investigated by Murrhiy did occur whilst you were Minister. The reporting came out afterwards. We heard from very well-regarded racing identities, Barry 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 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. My office has always - 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 Murrhiy 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.

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

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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 Murrin review at this stage.

Ms HOWLETT - I referred the allegations to the appropriate body.

Mr WINTER - Back to the people they were complaining about.

Ms HOWLETT - As I said, I referred the allegations, or the complaint, to the appropriate body.

Mr WINTER - What was the outcome of the complaint to the appropriate body? They were making serious concerns about the Office of Racing Integrity, the Director of Racing, the stewarding. What was the outcome of that complaint?

Ms HOWLETT - As I said, I'm not the regulator, so -

Mr WINTER - Sure, but they made their complaints to you as Minister for Racing -

Ms HOWLETT - I referred those complaints to the appropriate -

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Mr WINTER - Which was the organisation they were complaining about. I'm asking you what the outcome was -

CHAIR - Rebekah, can you mute your phone or computer?

Mr WINTER - The complaints went to you; you referred them on to the regulator that they were complaining about -

Ms HOWLETT - To the framework that I had at the time. The appropriate framework.

Mr WINTER - In the follow-up, what was the outcome? After you referred it, what was the outcome of their complaints?

Ms HOWLETT - I can't tell you right now what the outcome of the complaint was.

Mr WINTER - There's no follow-up? There's just -

Ms HOWLETT - You're talking about something that occurred, what, four years ago? What date are we talking, here? This is a matter for the former Director of Racing.

Mr WINTER - Can you tell us what date the meeting at Mr Pullen's house was?

Ms HOWLETT - I cannot tell you what date that was.

Mr WINTER - Are you able to come back to the committee with that information?

Ms HOWLETT - I'm not sure if I actually have access to my diary from - because I was a member of the Legislative Council.

Mr WINTER - If you could make best efforts, I suppose - through you, Chair, of course.

Ms HOWLETT - I did try to find a date for something else, but when I changed Houses, my diary changed. My diary changed and I lost all the data.

CHAIR - Are you happy to take that on notice to the extent that you can try to find the information? The committee will understand.

Mr WINTER - In terms of these people - the conversation with Mr Rattray was in particular around his concerns about what was happening. Mr Castles, in his evidence - "I said, 'is it still happening?'" Meaning 'are the integrity concerns still within the industry?' He said:

I'd have to say there is some of it still happening. I don't want to be too critical. I'd like to think we're in a period of change, but yes. There are things that we'd like to see at least referred to in the steward's report.

That's the industry saying that there are still integrity issues within the racing industry today. The concerns were raised in 2020 about racing incidents in 2020. We're in 2025. How do you explain that five years later we still have industry members saying that it's still happening?

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Ms HOWLETT - As you're aware, on 1 February 2025, our new model came into effect. We now have a complaints hotline set up. That is a hotline that came into place, I believe it was on 1 February as well. I believe we've had quite a few - I don't know the exact number of complaints that have been through, but complaints can be received directly by the Commissioner via email, web-based portal, the hotline, or directly to the Commissioner.

Information about the Commissioner's complaints framework, including information about how to report a matter to the Commissioner and the timeframes associated with responding to a complaint are accessible via the Commissioner's website, racingintegrity.tas.gov.au, and the Racing Integrity Hotline enables the Commissioner to receive information and reports in the strictest of confidence and the identity of individuals making the report remains confidential.

I think that's something extremely positive that we have now moving forward, Mr Winter. We didn't have that previously. The new framework has allowed us to make significant changes for the benefit of the racing industry in Tasmania.

CHAIR - Questions?

Mr WINTER - I have heaps more, but I don't want to take up all the time.

Ms JOHNSTON - Thank you, Minister. One of the key concerns we've heard from industry participants during the submission is around workplace safety. We heard from Mr Jenkins, in his evidence to us, that they are still working on a fatigue management plan despite the fact that concerns about fatigue have been raised for a number of years now. You recently tabled, in parliament, the members' expectations for Tasracing. In that, you have employee and industrial relations matters and a note in there that one of those requirements is to provide a work environment that supports high levels of safety and wellbeing throughout the organisation, taking all practical steps to provide its employees, its contractors with safe working conditions. Are you concerned as Minister that, I think it's almost four years later, there is still no fatigue management policy at Tasracing?

Ms HOWLETT - Look, I know that is something that Tasracing is certainly working on. The *Racing Regulation and Integrity Act 2024* is not concerned with employment matters relating to injury and compensation. I am advised that, as part of the licencing applications or renewals, trainers must acknowledge that the current workers compensation policy will be maintained for paid and voluntary workers if required under the state legislation.

I am also advised Worksafe Tasmania has recently conducted a workers compensation plan and work, health and safety compliance program in the racing industry. We know that there are things that we can certainly do better for the future of all three codes and I do know Tasracing is working on that.

Ms JOHNSTON - Do you think that Tasracing should have fatigue management policy?

Ms HOWLETT - I personally do, yes. I know that's something that they're looking at.

Ms JOHNSTON - Do you find it acceptable that, after all this time, they're still working on a draft policy and are yet to implement one? Do you find that acceptable as Minister?

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Ms HOWLETT - I look forward to seeing the draft and I look forward to it being implemented.

Ms JOHNSTON - How long do you think it is appropriate for members of the industry to wait for such a policy to be put in place?

Ms HOWLETT - I did discuss that with Heidi Lester when she commenced in mid-February and that was one thing that was certainly on her priority list.

Ms JOHNSTON - Have you had discussions with Tasracing prior to the new arrangements that came on 1 February about your concerns with the lack of fatigue management policy?

Ms HOWLETT - I have. Ms Lester only started, I think it was around 14 or 16 February, forgive me for not knowing the date correctly. She's been on the ground a month now and she has an enormous amount of work to do.

Ms JOHNSTON - There has been a number of incidences occurred within the harness racing industry which would raise concerns about the lack of fatigue management over a number of years now. Have you, or previous ministers that you are aware of, raised concerns? You are the members of Tasracing; you have the ability to give them a direction. Why have you not given the direction to implement fatigue management policy? This is not an unusual policy in a workplace. It is pretty standard and it's gobsmacking that it takes so long to develop a policy.

Ms HOWLETT - I have certainly raised the concerns. As I've said, they're working on a draft plan and I would hope to have that draft plan soon. I would like to see it implemented as soon as possible.

Ms JOHNSTON - Do you think that Tasracing has been wilfully ignoring your concerns all this time?

Ms HOWLETT - I don't believe so, no.

Ms JOHNSTON - You can't think of any other explanation as to why it has taken so long to implement a policy? I mean, if we'd seen this occurring, for instance, within another sector, I am sure there would be a huge concern amongst a Minister - like if it was occurring in, you know, if police did not have a fatigue management policy, or health, or any other area, I am quite confident that there would be significant concern; the Minister would be intervening to ensure the department had a fatigue management policy.

Ms HOWLETT - Fatigue was identified as a significant risk for many workplaces in the racing industry. Whilst no notices have been issued in relation to fatigue management to date, as I said, inspectors are looking closely at what systems employees in the industry have in place to manage fatigue. The compliance program was completed by the end of October 2024.

Ms JOHNSTON - Minister, are you concerned that, with the members' letter of expectation issued - and as I say, it has been reissued very recently - there is a significant push to ensuring that Tasracing is competitive in terms of scheduling races, sustainable corporate-wise, wagering and things like that? Are you concerned that Tasracing is putting the

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direction to do that - wagering, to ensure that they make their wagering requirements - ahead of participants' safety? Obviously, it's been highlighted here that the late race meetings are causing a significant issue. Are you concerned that Tasracing isn't pushing back on that because they are bound by your member's letter of expectation?

Ms HOWLETT - I believe, they are certainly, as I said, concerned about fatigue and they're looking into their draft at the moment and it will be finalised soon. Hopefully implementation won't take too long. That is certainly something that I can ask the Racing Integrity Commissioner to look into as well and see what other jurisdictions are doing across the state as well.

Ms JOHNSTON - Are you concerned about the late race meets and the impact that that has on them? Would you contact Tasracing and stress in the strongest terms that they avoid late meetings because of the safety issues and that they should prioritise safety of industry participants over wagering opportunities?

Ms HOWLETT - I have had the conversation about late meetings and my concern about them previously to the CEO.

Mr WINTER - Just to follow on from that, when were those discussions with the CEO about the race meeting times?

Ms HOWLETT - They would have been in November. I had a couple of discussions about it. I can't give you the exact date but I've had a couple of discussions.

Mr WINTER - What's been the outcome of those discussions in November?

Ms HOWLETT - Obviously, the policy. The policy is being drafted.

Mr WINTER - But the race times are still late. I mean, we used examples in our last hearing about race meetings finishing at 10.30 at night in Hobart, meaning that you have people driving as far as up to Devonport afterwards. When do you expect to see actual change?

Ms HOWLETT - I would expect that that would be included in the draft plan that should be finalised soon.

Mr WINTER - Minister, did you or your office have any knowledge of or involvement in the appointment of Zane Turner to the Stewards Panel for Devonport Cup Day?

Ms HOWLETT - Can you repeat that again?

Mr WINTER - Did you or your office have any knowledge of, or involvement in, the appointment of Zane Turner as a steward on Devonport Cup Day 2025?

Ms HOWLETT - Yes, I was briefed, and I knew that Zane was coming over for the Devonport Cup meeting.

Mr WINTER - What were the circumstances of that change in stewarding? What was the purpose of bringing someone from outside Tasmania's jurisdiction? We're still in ORI days

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- what was the purpose of you being briefed about the change of steward on Devonport Cup Day?

Ms HOWLETT - I believe it was about having someone with certain expertise there for Devonport Cup Day.

Mr WINTER - What was specific to Devonport Cup Day 2025 that required a steward from Western Australia to be flown in?

Ms HOWLETT - I can't tell you the exact details. I'm not sure if there was a steward or two stewards that weren't going to be present or couldn't be there. I know there was certainly a shortage of stewards.

Ms WILSON - It was an operational matter.

Mr WINTER - You are quite right, it was an operational matter, which is why I'm asking why the Minister was briefed or involved in that decision.

Ms HOWLETT - Would you like to answer that question?

Ms WILSON - Sorry, I really can't recall this particular matter. But it's not unusual in terms of stewarding, if there is a, for whatever reason - and I'm only talking first principles here but you might have a lack of capacity in stewards because of leave or other shortages that you may -

Mr WINTER - My understanding is that, that day, the chair of stewards, Bruce Free, was supposed to be on the panel but was told he wasn't required. Instead, a steward from Western Australia came down. Minister, you've said that you're aware of this, so you must have some more information about the circumstances of that change.

Ms HOWLETT - I don't have any more information. It was an operational matter.

Mr WINTER - It seems very strange for the Minister for Racing to be aware of the change of stewarding, bringing a steward in from Western Australia for one race day. Why were you briefed?

Ms HOWLETT - I certainly wasn't going to question an operational decision that was made, and I don't believe that to my knowledge, the briefing or the conversation was just about that. I think we were having a meeting, a normal RWM, and that just was mentioned, I think. Deidre from your memory can you -

Ms WILSON - Yes, I think -

Mr WINTER - My understanding is there were sufficient stewards available that day, so this doesn't make sense at all.

Ms WILSON - Yes, as I say, I was talking first principles around that. Sometimes we'll have stewards that come down to mentor in particular circumstances as well and there was a range of complaints -

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Mr WINTER - The Chief Thoroughbred Steward was told he wasn't required.

Ms HOWLETT - It's an operational matter.

Ms WILSON - Can you say the date of the race again?

Mr WINTER - It was the second Wednesday in January, Devonport Cup day.

Ms WILSON - January this this year?

Mr WINTER - This year, 2025.

Ms WILSON - Considering that you've been alluding to the fact that there were matters raised within industry around needing to mentor stewards and that was one of the outcomes from the Independent Stewards panel interim report.

Mr WINTER - Mr Free has been a steward for about 40 years and he was stood down.

Ms WILSON - I'm talking in general terms that there would have been nothing unusual in ensuring that we had external stewards that assisted with races and mentoring. But I am, as I say, talking in general terms because that would have been an operational matter for the then Director of Racing and potentially with discussions with Tasracing.

Ms HOWLETT - I believe over the last year there's been multiple people fly-in and fly-out, to cover leave and -

Ms WILSON - Some of our cadets had placements on the mainland as part of their professional development, from my recollection. As I said, Minister, I think we do not have the former Director of Racing here to answer this specific question.

Mr WINTER - Chair, I'm not really getting my question answered here. The idea that you would need to bring more experience by taking away a steward of 40 years' experience from the panel doesn't make any sense at all. In fact, none of these answers make any sense.

Can you tell me who told you about the change, Minister? Can you tell me who told you about the change of stewarding on Devonport Cup day and the reasons you were given for that?

Ms HOWLETT - Yes, my racing advisor did after he received a phone call. I don't know who he received the phone call from.

Mr WINTER - He's sitting right next to you, so perhaps you could ask him. I just don't understand why - if this is just a routine matter - Tasracing doesn't call the Minister's office. It must have been something more significant than that. I'd like to get to the bottom of it today.

Ms HOWLETT - I believe that would be - as I said to you, it's an operational matter. Moving forward from 1 February, that all relates to Tasracing now as ORI no longer exists. It was an operational matter and, Deidre, I have nothing - I can't speak to operational matters.

Mr WINTER - I don't feel like we're getting any further in this, but I'm happy if others have questions. I do have another line of questioning.

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I appreciate Ms Wilson being back here because when I reviewed the *Hansard* from our last hearing, I asked 10 times whether Mr Ray Murrphy was asked to lay charges. Every time, you gave me a different answer but never actually answered the question. I'm going to ask this question hopefully not 10 times today, hopefully not 20 times. Was Mr Murrphy asked to lay charges? This question is to Ms Wilson.

Ms WILSON - Through the Minister, thank you for the question. I answered the question in this way, which is in two parts. Mr Murrphy undertook his inquiries in accordance with the terms of reference. I also indicated that a two-stage process, a broad-based inquiry with subsequent referral of matters to regulators, is standard practice. This might be, subject to the Minister's and the committee's indulgence, an opportunity to bring the Commissioner in to talk about how this operates in other jurisdictions, because I'm confident that he would indicate that this would be standard practice and not an unusual process

Ms HOWLETT - I don't think Mr Winter would want the Commissioner coming in the room.

Mr WINTER - That's 11 times; this will be 12 times. Was Mr Murrphy asked to lay charges?

Ms WILSON - His terms of reference are clear; he was asked to undertake an inquiry.

Mr WINTER - This will be the 13th time. Was Mr Ray Murrphy, as part of his review, the Murrphy report, asked to lay charges?

Ms WILSON - Through you, Minister, - sorry.

Ms HOWLETT - No, that's just correcting the record earlier, for Mr Winter.

Ms WILSON - You might want to do that.

Ms HOWLETT - Yes.

Ms WILSON - His terms of reference asked him to undertake an inquiry into races, and that's what he was asked to do.

CHAIR - With respect, the terms of reference at the beginning of an inquiry couldn't direct somebody to press charges because the inquiry hasn't yet been done.

Ms WILSON - That's exactly right.

CHAIR - I think Mr Winter's question is: at any point during or after the inquiry, was he asked to lay charges?

Ms WILSON - He indicated in his - as you've pointed out, it's not due - but the standard process is that broad-based inquiries be undertaken and then matters are referred for complaint and charges as appropriate. That is standard practice.

CHAIR - Were matters referred for complaint or charge?

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Ms WILSON - Matters were referred to the independent stewards panel, and the independent stewards panel was then put in place to determine if charges could be laid. That was what Mr Murrehy indicated needed to happen for charges to be laid.

Mr WINTER - I'm well aware that that's what happened and that's what he wanted to do. 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 Murrehy, 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, 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 - 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 Murrehy, 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. What I would -

Mr WINTER - There were plenty of stewards in ORI. I mean, you could have - it didn't need to be just him.

Ms WILSON - In ORI? Considering - excuse me, through you, Minister -

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CHAIR - Procedurally, you don't need to answer through the Minister. You are sworn in as your own -

Ms WILSON - Oh, that's right. I forgot that bit.

Ms HOWLETT - How it was set up in the terms of reference -

Mr WINTER - You added a steward just for Devonport Cup day today. I mean, you could add another steward.

Members interjecting.

Ms HOWLETT - Actually, hang on. Can I correct the record -

Mr WINTER - No. You're not actually - I'm asking questions, Minister.

Ms HOWLETT - No, you mentioned it. Can I correct your record -

Mr WINTER - Minister, I want to come back -

Members interjecting.

Ms HOWLETT - Bruce Free actually chaired Devonport Cup -

Mr WINTER - Chair, if you could help?

CHAIR - Mr Winter has the call. Ms Wilson is entitled to answer in her own right as a sworn witness at the committee.

Ms WILSON - Yes, thank you. I sometimes forget which one I'm doing.

CHAIR - It's okay. We're not at Estimates; you can answer in your own right.

Mr WINTER - I'm going to give you an opportunity to come back to that, because I'm going to ask you about that issue again. On that day - the early-January Devonport Cup day - a steward was brought down from Western Australia. You were informed about it through your adviser. We're not quite sure why that happened. Mr Free was told he wasn't required, but then later did chair the stewards panel. That's correct.

Ms WILSON - Yes.

Mr WINTER - Can you explain why Mr Free has no longer been chairing stewards panels since the new set-up started in February?

Ms HOWLETT - I can't, because that's a matter for Tasracing and it's an operational matter, so I don't have -

Mr WINTER - But you were informed and briefed about operational matters on Devonport Cup day.

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Ms HOWLETT - I believe that was just a conversation that occurred between my racing adviser, and it was a discussion that was around something else and that was mentioned.

Mr WINTER - That is not in line with your earlier answer.

Ms HOWLETT - In moving forward I'd need to speak to Andrew Jenkins and have a briefing about the stewards. As I said, I do know that the Integrity Commissioner has been in contact with Ms Lester. He is outside and I'm sure he would be happy to talk to you moving forward about stewards and Ms Lester's plan. Would you like him to come into the room?

Mr WINTER - I would like to ask you about Ms Ainscow. We have Janet Ainscow coming in as the next witness and unfortunately, the timing means that we will not have her verbal evidence, though we do have her written evidence. I am very concerned about the way that Ms Ainscow has been treated throughout this saga.

Ms Ainscow has previously given evidence that, when she raised concerns about the conditions that animals were being looked after in, she was stood down from her role as a harness steward. The department will say that is not the correct term, but she no longer stewarded harness racing meetings after that. She raised concerns about the conditions there, that Mr Murrphy backed in in his report. She was later threatened with her job, she was threatened with her livelihood, because she blew the whistle.

My question to you, Minister, is do you believe Ms Ainscow has been treated reasonably and fairly throughout this process?

Ms HOWLETT - Look, that is certainly not a question for me. That is a question for the Office. For the secretary, yes.

Ms WILSON - Minister, I would say it's really important to ensure that it's on the record that Ms Ainscow was not stood down. As was outlined - and I believe I've raised this in other hearings - the Director of Racing was managing a potential conflict of interest. Management of conflicts of interest in regulatory roles is a fundamental principle to ensure confidence in the regulatory system.

It is public information that the person in question has made numerous negative comments regarding a particular harness racing participant, Mr Yole, and this may create a perception of conflict of interest should they have continued to undertake stewarding duties within harness racing. I am sure you would appreciate it would be entirely inappropriate for a steward to be presiding over races that involve participants that the same steward has made public allegations and complaints against.

Given this, the then-staff member was assigned to stewarding duties across a different code. Reassignments of duties across a role as a mitigation to manage a potential conflict of interest is an appropriate means. I would like to put on the record that, besides managing the potential conflict of interest, Ms Ainscow was not treated any less favourably than any other ORI staff member.

If you took this matter to the TRAB, a matter went to the Tasmanian Racing Appeal Board, and the person that was making complaints and allegations against another party was the person bringing the charges, there would be a significant risk to that matter being upheld.

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We have to manage conflicts of interest in regulatory roles often, and this is not an unusual way for this to be dealt with.

Mr WINTER - Minister, Ms Ainscow personally took the Director of Racing, Mr Helmich, to observe the site where Mr Yole trains animals. She showed him the conditions they were being held in, and her contention - and we'll hear from her later - is that effectively she was fobbed off and everything was said to be fine. That's the Director of Racing, the person who's most senior in racing integrity.

Mr Murrhly comes along and writes his report. He talks about stocking densities, the inappropriateness of the lack of feed, the lack of grass, the mud, the dust. How is it that the Director of Racing, on your watch, was so incompetent to not understand the basic standards for looking after a horse, and the steward who pointed it out was unable to fulfil her functions as a harness racing steward. How is that fair to her and how is that right for the animals?

Ms HOWLETT - I don't believe I was the Minister at the time, Mr Winter. Can I just say I absolutely understand your concerns and I understand the public concerns about the state of the property. That is one thing that I want to be - it's so important.

Mr WINTER - You've been Minister again for almost a year and the conditions are still the same. Nothing has changed. How has nothing changed?

Ms HOWLETT - Things have changed. As I've said -

Mr WINTER - No, they haven't. On that property the horses are still living like that. You have a former Director of Racing who sat here and said it was fine just if they had a rug on; who said shelter was just a rug. All of that happened on your watch.

Ms HOWLETT - To me, that's not good enough, and I have written to the Commissioner. I'm happy to read it out or table -

Mr WINTER - Letters don't actually help the animals, do they?

Ms HOWLETT - The Commissioner has oversight and he has powers to do something about it. To me, it's not actually good enough. I can read the letter out or I'm happy to table it.

Mr WINTER - I'd prefer just to table it because we have a short amount of time.

CHAIR - We can have that letter tabled.

Mr WINTER - When you were Minister, what was the earliest time in which you were informed of the animal welfare concerns at the Sidmouth property of the Yoles?

Ms HOWLETT - I can't think of the exact date.

Mr WINTER - Would you say during your first stint as Minister?

Ms HOWLETT - I can't give you the exact date, but I know it was a significant concern to Mr Murrhly as well. When I did have concerns raised with me, I -

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Mr WINTER - Is this during your first stint as Minister?

Ms HOWLETT - I directed them to the appropriate authority at the time, being the Director of Racing.

Mr WINTER - Was this during your first stint as Minister?

Ms HOWLETT - The first two years, yes, I was made aware.

Mr WINTER - You directed those complaints to the Director of Racing. What was the outcome from that?

Ms HOWLETT - I don't have the details to know how many inspections were -

Mr WINTER - It wouldn't have mattered if he did a million inspections, he thought it was fine.

Ms HOWLETT - Well, it's not fine and we know it's not fine. That's why, moving forward, we're changing this.

Mr WINTER - Years later - if you go to Sidmouth now, they are still living like that, in dust. How do you explain nothing having changed?

Ms HOWLETT - You have that letter, Chair? Thank you.

CHAIR - She's just doing copies of her letter. Ms Wilson, did you want to?

Ms WILSON - It's important to note that Mr Murrhly, in his report, did describe that the issue with welfare standards at the harness training establishment related to the requirement to have a code, because the RSPCA had inspected the site and found no breaches of the *Animal Welfare Act 1993*. Mr Murrhly said you needed an equine code which applies a standard, and the Minister has indicated that she considers that that code needs to be reviewed.

Ms HOWLETT - Absolutely.

Ms JOHNSTON - Is that the one that came in on 1 November?

Mr WINTER - The new one needs to be reviewed?

Ms WILSON - Sorry. Through you, Minister, I think you'd have to talk about what your referral is.

Ms HOWLETT - You will see it in the letter.

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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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-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.

Mr WINTER - You lost the social licence by overseeing this absolute rubbish for years. The ability for those horses to stay there in Sidmouth has been a blight on the industry. It's been a blight on everyone. The racing industry itself has called this out time and time again, told you about it, told me about it. I've raised it, continued to, but the Government has done nothing. The first thing it ever did was put in the code of practice back on 30 October last year. You announced it, said it was best practice, and here you are today, saying it needs to be reviewed.

Ms WILSON - No, those were my words, not the Minister's.

CHAIR - Well, it's in the Minister's letter here.

Ms WILSON - Apologies, Minister.

CHAIR - The Minister's now written to the Commissioner and asked for the code to be reviewed -

Ms HOWLETT - If appropriate.

CHAIR - in the letter that's been tabled.

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Mr WINTER - If appropriate?

Ms HOWLETT - I want to have the best -

CHAIR - Well not 'if appropriate' - to quote from your letter, you said, 'I request you, along with Tasracing staff and any relevant stakeholders, please review this code to ensure that animal welfare systems and processes contained meet contemporary community expectations.'

Clearly, the code that came into place late last year, in your view, didn't ensure animal welfare systems and processes contained and met contemporary community expectations. It is quite extraordinary that the work that would go into a code just a few months later would be deemed unsuitable and in need of review. Do you recognise that?

Ms HOWLETT - Chair, you would know that the new legislation didn't start until 1 February, so I had to wait until we had new legislative reforms in place -

CHAIR - To provide a fit-for-purpose code.

Ms HOWLETT - Well, I now have an Integrity Commissioner who can oversee and make changes, and have the best industry standards here in Tasmania.

CHAIR - But you said that the code was best practice when it was released late last year.

Ms HOWLETT - The legislative reforms didn't take place until 1 February. Anyway, as far as I'm concerned, animal welfare is paramount to the industry moving forward and we will always require changes. We can always set standards better and we'll take the industry along the journey with us. For you to say that I've done nothing is absolutely incorrect.

Mr WINTER - The horses are still there. Nothing's happened.

Ms JOHNSTON - If I understand you correctly, Minister, in the evidence you've just given, you've indicated that you had to wait until the new regimen on 1 February came into effect to request any improvement in the code for equine welfare and you couldn't do it prior to that, despite the fact that you claimed it was best practice when it was introduced.

I'm assuming you wrote this letter in response to the evidence given by Mr Thompson at this inquiry because you reference it in your letter. That was on 17 February. You've written on 5 March, the letter is dated. That's maybe three, four - maybe three weeks after the evidence. We've heard consistently from community members and witnesses to this inquiry that the horses are still in that appalling condition and they remained in that condition all the time through the Murrihy Review, post Murrihy Review, during the independent stewards panel, waiting for the equine code to come into effect on 1 November last year, up until the point of 1 February when the new regimen came into place. It's now 14 March and those horses are still in the same condition.

We've just heard evidence from Ms Wilson that the *Animal Welfare Act* was deficient and they couldn't have taken action under the *Animal Welfare Act* to protect those horses and you needed the equine code of welfare to be in place. Do you realise - or do you recognise, I should say - that you fundamentally failed these horses by failing to address the *Animal*

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Welfare Act 1993 and the deficiencies in that, or requiring a proper equine welfare code to be in place, and that until you act, those horses will be subject to horrific conditions? Is that acceptable to you?

Ms HOWLETT - I don't believe I have failed, Ms Johnston. I do believe I have taken action, and I have asked the Commissioner to look into the property with Tasracing and see if any - what can be done in order to have best practice.

Ms JOHNSTON - Are the conditions of the horses today acceptable in your view?

Ms HOWLETT - I have not inspected the property, so I cannot comment on that.

Ms JOHNSTON - You are aware of the conditions, however, from evidence that has been given to this committee and community concerns raised from media attention. From what you have seen, do you believe that the conditions are acceptable?

Ms HOWLETT - I have not inspected the property and I can't comment on that.

Ms JOHNSTON - You are prepared to wait - will you inspect the property?

Ms HOWLETT - I am happy to go and have a look if I have the ability to legally do so. With the consent of the owner of the property, yes, I am happy to inspect the property.

Mr BEHRAKIS - Just one quickly, Chair, and I am mindful of the time. Obviously, we have the world before and after, and this inquiry has heard a lot about what has happened. Going forward, however, and this might help get some clarity for the committee and for our report, can you outline what the new process and powers of the Racing Integrity Commissioner are going to be?

Ms HOWLETT - As I mentioned before, complaints handling is extremely paramount and the new racing regulation and integrity legislative framework will have strong new powers to set the bar higher for the industry. We have taken action to abolish the Office of Racing Integrity and we've overhauled the whole system with the appointment of the new Racing Integrity Commissioner.

The reforms include the appointment of Tasmanian Racing Integrity Commissioner, Sean Carroll, who will have the power to set integrity and animal welfare standards - I think that's really, really important. He will have the power to set animal welfare standards and investigate relevant issues across all three codes of racing. As an immediate response to feedback received from 1 February, all Tasmanian racing complaints and concerns will be received by the Racing Integrity Commissioner's independent office and will be handled within the timelines as outlined in the new Tasmanian racing industry complaints framework.

Tasracing has appointed highly experienced racing integrity official, Ms Heidi Lester, to the newly created position of Chief Racing Integrity Officer. We also announced that international legal practitioner, Regina Weiss, will chair the Racing Integrity Committee alongside leading racing training authority, Merv Hill.

So, we have had significant changes, and we've come a long way. I apologise that it has taken so long, but to change legislation sometimes, and to recruit and get the right people in

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the job takes time, but we've done it, and moving forward, it is about regaining the faith and trust of the racing industry and the people in it.

Ms JOHNSTON - I think we all want to see that.

CHAIR - We will go till 10.04 a.m.

Mr BEHRAKIS - I will not be able to stay long; do you guys have a quorum if I leave at 10 a.m.?

CHAIR - Yes.

Mr BEHRAKIS - Okay.

Mr WINTER - We have received a submission from Mr Steven Shinn today. I want to ask you some questions about that. Am I correct to say - I've been trying to double-check the dates, were you the Minister responsible in 2021 when the Tasmania Cup incident occurred with Bullys Delight?

Ms HOWLETT - I am not taking any questions on this matter anyway.

Mr WINTER - You are not?

Ms HOWLETT - No, I certainly won't be taking any questions on this matter.

Mr WINTER - The inquiry, Minister, is about the operations of the Office of Racing Integrity. One of the biggest issues being raised was around the issue with Mr Shinn and he has provided a submission to this inquiry. Mr Shinn has raised concerns and outlined what happened for the first time, actually, we finally got an outline of what happened with the deletion of a fine around Bullys Delight and driver, Rhys Nicholson, who was hocking during the race. He says that he was actually conducting an inquiry, and then Mr Latham effectively cancelled his inquiry and brought in Mr Murrhy. Can the Minister or the Acting COO outline what happened exactly?

Ms WILSON - Look, we've just received a copy of Mr Shinn's submission before we walked into the room. Obviously, I haven't had time to look at this. What I would say is that at the time, the Director of Racing would be dealing with operational matters around stewards, inquiries, and stewarding matters, and that the Minister had no role under the *Racing Regulation Act 2004* and had no capacity to direct the Director of Racing around any matters relating to the operational matters of the Office of Racing Integrity. In fact, if she had done so, she would have been acting outside of her powers.

As I indicated, this would have been a matter for the then Director of Racing, and we're not able to provide any further comment based on just having a look at what's been presented just before we walked into this hearing.

Mr WINTER - So, you were the Minister at the time. Minister, were you briefed, informed, or involved in any of the decisions around Mr Shinn's inquiry effectively being quashed, and Mr Murrhy being brought in?

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Ms HOWLETT - We've just received the submission. We'll take that on notice.

Ms JOHNSTON - Minister, just going back to the animal welfare issue, when did you first become concerned that the new equine code of animal welfare was deficient or perhaps needed reviewing?

Ms HOWLETT - I can't remember the date, but I've had various feedback.

Ms JOHNSTON - Was it before or after the hearing on 17 February?

Ms HOWLETT - I've had some complaints before then and after then. I've had various complaints.

Ms JOHNSTON - What is the reason why you waited until 5 March to write to the new Commissioner?

Ms HOWLETT - I believe things can - well, I'm not going to - I have the Commissioner as an independent commissioner, so I have obviously given him my thoughts and asked him if he can work with Tasracing, and if things need to be amended, to please consider doing so.

Ms JOHNSTON - Would it be fair to suggest, as your letter does, that you became quite concerned following the evidence given to this inquiry on 17 February and that's what prompted you to write this letter on 5 March?

Ms HOWLETT - Yes. Well, the Commissioner is an independent commissioner. I have my concerns, clearly, and I've written to him.

Ms JOHNSTON - So, you waited some three weeks, though, given serious animal welfare concerns and you've stated here on the record that animal welfare is a high priority.

Ms HOWLETT - It is.

Ms JOHNSTON - You've waited three weeks to write to the Commissioner to request - and I am assuming this work is going to take some time, so it's going to take a while before any changes are made. You've waited three weeks - 5 March was the second parliamentary sitting day of the year. Did you write this letter because you were concerned that those in parliament who are very concerned about animal welfare might be asking you a question? You wanted a letter to wave around during Question Time by any chance?

Ms HOWLETT - Not at all.

Ms JOHNSTON - So, there's no other reason why you waited three weeks to write a letter about serious animal welfare concerns when those horses are suffering for three weeks in that property.

Ms HOWLETT - I would have had proper conversations in between but animal welfare is certainly not something that I will politicise. It's something that is extremely important to me, and you know that I've been very open and transparent about that.

Ms JOHNSTON - But it can wait apparently three weeks for a letter.

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Ms WILSON - We should, just for the record, note that Mr Thompson gave evidence at the previous hearing that the regulatory vet went to and did inspect the property and found that there - because you said the animals were suffering. Just for the record, the regulatory vet did not find that animal welfare - in terms of the animals were healthy themselves.

Mr WINTER - At what time was that and what date?

Ms WILSON - He gave evidence at the last -

Mr WINTER - Are you talking about over a period of time?

Ms WILSON - Yes, I think there was something like -

Mr WINTER - I remember him making that statement and I thought about it afterwards. Mr Murrphy found that the horses were being abused basically and you still have a vet coming and saying everything was fine.

Ms WILSON - The Murrphy matters relating to the wash bay were historic.

Mr WINTER - No, they were still happening - systematic.

Ms WILSON - No, sorry, apologies. We won't talk about that apart. That's on the record in terms of the timeframes in the independent stewards panel. We shouldn't talk to that.

Mr WINTER - I'm just pointing out that the horses were being abused and you still found that they were fine.

Ms WILSON - There were 26 inspections of the stables in 2024. I just wanted to indicate that in recent times, there were checking and inspections by the regulatory vet.

CHAIR - After Mr Thompson's information to this committee?

Ms WILSON - No, I'm just indicating that's what he indicated at the last hearing that the regulatory vet had been on the property.

CHAIR - We have gone a little overtime. I know we could talk about these issues all day, but we have gone a little overtime. We'll probably call a conclusion to the hearing now. If we could stop the broadcast.

THE WITNESSES WITHDREW.

The committee adjourned at 10.08 a.m.

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The committee met at 10.31 a.m.

CHAIR (Ms Haddad) - Welcome to today's hearing of the inquiry into the Tasmanian Government's response to serious allegations within harness racing.

My name is Ella Haddad; I'm the Chair of the committee. I'm a member for Clark here in the south. Kristie Johnston is a member for Clark, Mr Winter is a member for Franklin, and Ms Rosol is a member for Bass in the north. We have two other members for Bass joining us online: Simon Wood and Rebekah Pentland. We have one apology today, which is Simon Behrakis, another Clark member.

Can I ask you to please state your name and the capacity in which you are appearing before the committee?

Ms AINSCOW - My name is Janet Ainscow. I am a former casual steward with the Office of Racing Integrity (ORI). I retired on 31 January 2025.

CHAIR - Thank you. Can I confirm that you have received and read the guide sent to you by the committee secretary?

Ms AINSCOW - Yes, I have.

CHAIR - I'll just remind you that the hearing is covered by parliamentary privilege, which allows you to speak with freedom without fear of being sued or questioned in any court or place outside of parliament. However, this protection is not accorded to you if statements that you make may be defamatory and are repeated or referred to by you outside of these parliamentary proceedings.

That said, if you wish to give us any information in private, you're able to do that as well. It just means if you could request that during any evidence that you're giving to us, we'll have a short meeting to agree to go into what's called an in-camera session. We can then hear information in private, if that's what feels more comfortable for you. The hearing is public; public and media may be present and may be watching online.

Could I ask you now to make the short statement in front of you to swear in to the committee?

Ms JANET AINSCOW WAS CALLED, MADE THE STATUTORY DECLARATION, AND WAS EXAMINED IN PUBLIC.

CHAIR - Thank you. That's all the formalities dealt with. We'll invite you, if you'd like, to start with an opening statement.

Ms AINSCOW - Yes, I have an opening statement.

I have over 30 years of experience in the racing industry, having worked in Tasmania as a casual steward and full-time as a sample collection official for Queensland Racing and the Queensland Harness Racing Board. I was a full-time employee at the Racing Science Centre in Queensland for 10 years, involved in sample processing and experimental drug testing.

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I am proud have received the Queensland Government Excellence Award in 2001 for excellence in client service for my contributions to the Inter Dominion racing division. I take great pride in my work and reputation, and I bring a high level of integrity to everything I do.

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 reported to the Director of Racing at the time, Justin Helmich, that a harness driver had told me they were instructed to team drive by Yole Racing. This driver's testimony was recorded in an ABC interview under the pseudonym 'Riley' to protect their identity. 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. I was shocked when they said, upon arrival, 'We are not going to sack you, but we are taking you off the harness racing roster, effective immediately.' 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 Murrhy 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 their 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, even though horse numbers have decreased to about one third of the 2023 levels.

I have also observed disturbing interactions between Mr Shinn, the chief steward at one time during my employment, and Ben Yole. On three separate occasions, I arrived early at the Mowbray racecourse, two to three hours before the first race, and saw Mr Shinn and Mr Yole in conversation. The first time, they moved away quickly when they saw me approaching, and this happened again on a second occasion. On the third occasion they were alone near the stabling area.

Mr Shinn introduced a new practice for checking swabs that was unusual. Traditionally, a second steward, usually not on the panel, would help check and seal the swabs in security bags with the signed documents. However, Mr Shinn insisted that only he could check the swabs, which he did after the last race in any inquiries. He had access to the swab numbers and the cards with the horses' names, and he made notes in his race book. After Mr Shinn was stood down, this practice ceased. No other chief steward had implemented such a procedure, and I found it odd but did not question it at the time.

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In early 2024, I spoke with another former Yole employee, who shared an alarming story. On one occasion, when this person was with another employee who lacked stablehand licences, hid when a steward's car arrived at the Yole property. Mr Yole allegedly called out, 'You can come out now, it is only Shinn.' This statement clearly indicates that Mr Yole and Mr Shinn had a relationship that went beyond professional boundaries.

Given all this, I believe a full audit should be conducted on the swabs taken from the Yole stable covering the past five to six years. It would be valuable to compare how many swabs were taken at the race meets versus how many were actually sent for testing and what actual results were received. I find it incomprehensible, given multiple employees witnessed Ben Yole giving drugs to horses prior to race meets, yet he has no positive swabs in Tasmania other than arsenic.

During my ABC interview in 2023, the ABC crew questioned me extensively about Mr Shinn and told me he had been caught on ORI's own CCTV tampering with the swab. This was confirmed via a conversation with a former integrity steward a year later, who had viewed the footage, along with the Director at the time, Tony Latham. I am of the opinion that some people within the Office of Racing Integrity had aided and abetted Ben Yole to ensure that that stable kept racing at all costs, even transferring the horses to Wayne Yole with great haste after the Supreme Court supported Tasracing giving Ben a warning-off.

It is incomprehensible that TRAB has the power to overrule Supreme Court findings and, more recently, the decision of the new integrity Commissioner. NRE even launched a full investigation into me, claiming I had breached an employment directive by posting a couple of comments on a private social media forum. The resolution of this investigation was never communicated to me, but I am certain it cost taxpayers thousands of dollars. One of those comments was nothing other than a direct quote of the Australian harness racing rules. Public perception should not be dismissed by Government or relative authorities. These people vote and have the power, when voices are united, to change Governments and can, ultimately, bring an end to racing. Animals kept for racing purposes must be seen to be cared for in the best conditions, with their welfare a priority in all circumstances. The betting public needs to be assured integrity within the racing industry is of the highest standard. Their investment supports a huge industry that is doomed to fail without them.

That is it. Thank you.

Mr WINTER - Thank you, Ms Ainscow, for being here. Thank you for your submission and thank you for being the person, amongst others, but probably the number one person who has put yourself on the line as part of this inquiry. The reporting that came from your interview has led us to get to this point where new legislation is in place and we hope that things start getting better, though we are frustrated.

Particularly, what you said about the horses in the same position, I want to start there. You raised concerns with the then Director of Racing, Mr Helmich. You talked about bringing him and Mr Neal to the property and showing them exactly what happened. I want to confirm where things were at. At that stage, you are a steward of both harness and thoroughbred racing?

Ms AINSCOW - Yes, that is correct.

Mr WINTER - This is you raising concerns well before you went to the media -

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Ms AINSCOW - Yes.

Mr WINTER - with, effectively, your bosses, the chief steward of harness and the Director of Racing?

Ms AINSCOW - I reported everything directly to the Director and I never did anything wrong. I had no communication with the media, nothing. I just reported to the Director.

Mr WINTER - In your evidence, you have said that, at this point in time, you have them onsite, you are showing them the conditions - and, by the way, what is your level of experience with horses over the, how many decades is it?

Ms AINSCOW - I have had 30 years experience in racing but I have worked at the Queensland university and I did a lot of equine research for at least 17 years.

Mr WINTER - So, you are well and truly qualified to know what a good -

Ms AINSCOW - I am also a qualified pony club instructor, so I have studied for a long time.

Mr WINTER - You are a horse person?

Ms AINSCOW - I am a horse person, yes.

Mr WINTER - You are confident - you know that these conditions are not up to scratch and you bring the person who is charged with overseeing racing integrity to see it firsthand, for himself?

Ms AINSCOW - Yes.

Mr WINTER - And his response to you is to stand you down from your job?

Ms AINSCOW - That was the first thing they said to me when they arrived at my property before they even looked at the conditions. I had sent photographs. I had numerous photographs of horses in the most appalling conditions. Some of them were sinking into mud halfway up their cannon bones. They had hay just thrown on puddles of dirty green water in the mud and that is what they had to eat.

Mr WINTER - And they were eating their own poo?

Ms AINSCOW - And, when it's dusty, they just sift through the dirt and they eat faeces. I mean, I have videoed it, the ABC even videoed it, because we have video evidence. It is just not something that is made up. I even reported the faeces eating to Mr Helmich. He ended up writing back to me that he spoke to the vet and said that, 'Well, foals eat their mothers' faeces,' so it's not really that bad.

Mr WINTER - Now, what I wanted to ask you about because, I mean, it takes a lot of courage to take these issues to your boss to start with, you know, you are a whistleblower and then to the media. Can you talk to us about some of the impacts that this has had on you? First by going to the boss and being stood down? You were still able to be a thoroughbred steward

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and we heard earlier from the NRE that you were transferred to other duties - I believe they asked you to become a greyhound steward and you said you did not want to because you're a horse person.

Ms AINSCOW - Yes.

Mr WINTER - What happened with your shifts as a thoroughbred steward? Did you maintain the same level of shifts or were they reduced?

Ms AINSCOW - Probably, with the thoroughbreds, I maintained the same level of shifts. Of course, all my harness shifts were removed immediately, so that cut my workload in half. After Robin Thompson became Director, there were periods when I was completely left off the roster for weeks on end and I had no work at all.

Mr WINTER - Why do you think he left you off the roster?

Ms AINSCOW - I don't know.

Mr WINTER - At this stage, you had some Human Resources interactions with NRE. What was the nature of the correspondence you received from your employer?

Ms AINSCOW - They were - because I had made some comments in a private forum and those comments had been reported to NRE, they started an investigation into me.

Mr WINTER - You were a whistleblower?

Ms AINSCOW - Yes.

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 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.

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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 - Sure. You reported that Mr Ford - that you had received an allegation -

Ms AINSCOW - I had received that allegation that he had given horses cocaine and I reported it. Another report I was given - I was contacted by a harness person who said they knew that Tiana Ford had text messages in her phone from Ben Yole fixing the Burnie Cup. Now, I reported that, too. I said, you know, even if those messages were deleted, I believe that the police have the power to be able to retrieve those messages to prove it. I reported that.

Mr WINTER - To Mr Helmich?

Ms AINSCOW - No, I think it was to Robin Thompson at the time when I got that. I do not know the outcome of that, but I reported it.

Mr WINTER - When you say reported it, do you just go to them personally and -

Ms AINSCOW - No, I send them an email.

Mr WINTER - You have emails that, in writing -

Ms AINSCOW - Yes.

Mr WINTER - that say, I have received this information?

Ms AINSCOW - Yes, that is correct.

Mr WINTER - Do you tell them where you got the information?

Ms AINSCOW - No.

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Mr WINTER - They never came back to you and said -

Ms AINSCOW - No, I never got anything.

Mr WINTER - So, as a steward, you've received information of race fixing and of horse doping. You put that, in writing, to the Director of Racing?

Ms AINSCOW - Yes.

Mr WINTER - You haven't said where it's come from and they've never asked you where the information came from?

Ms AINSCOW - No.

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.

Mr WINTER - That is quite extraordinary.

Ms AINSCOW - I'm sorry, but it's true. 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?

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?

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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.

Mr WINTER - During your time, you've reported doping, race-fixing and massive breaches of animal welfare standards.

Ms AINSCOW - Yes.

Mr WINTER - At any point, did any of your reporting through to the regulator lead to any outcome at all?

Ms AINSCOW - I was spoken to by the regulatory vet a couple of times, particularly when I raised the animal welfare. At the time, they said they couldn't do anything because they were only guidelines and they weren't enforceable, and I just said, 'well, you need to make it enforceable.' I said, 'there's no point having a guideline if you can't enforce it, because you can't keep animals in these conditions.' I do believe that finally led to the new code of practice - which still isn't enforced, I can assure you.

Mr WINTER - Well, we just heard earlier that the Minister - in fact, I won't go into it. I wanted to ask you about Riley as well, another one of these incidents, which is obviously a pseudonym - not really 'Riley'.

Ms AINSCOW - Yes.

Mr WINTER - In the case of Riley, 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.'

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Mr WINTER - So, the nature of the interaction with Riley, why was Riley telling you do you think?

Ms AINSCOW - Because I think Riley had a conscience and probably had a little bit more integrity than some of the other drivers who are currently going around.

Mr WINTER - To your knowledge, have the issues raised by Riley ever been investigated?

Ms AINSCOW - I believe Riley was interviewed twice by Ray Murrhiy

Mr WINTER - Okay, and the instances are in the Murrhiy Review? I don't want to give away Riley's - and I'm sure you don't want to either.

Ms AINSCOW - Yes.

Mr WINTER - In the end, the Murrhiy Review, which found the massive breadth of the race-fixing, the animal welfare breaches, the team-driving, it had to do ORI's job for it. The concerns we have about the reporting is obviously that didn't lead anywhere and you were trying to do absolutely everything you could to -

Ms AINSCOW - Yes, that's correct.

Mr WINTER - Do you still have the emails that you sent to the Directors of Racing in relation to the cocaine incident?

Ms AINSCOW - I probably still have the emails. Yes, I could probably find them.

Mr WINTER - Is that something you could provide to the committee?

Ms AINSCOW - I wouldn't be able to present them right now, but I could probably find them.

Mr WINTER - It's really important for us in terms of finding out what happened.

Ms JOHNSTON - Thank you, Janet, for coming to give evidence today and for speaking out on behalf, particularly of the horses and those in the industry who care.

Ms AINSCOW - That is my biggest concern, animal welfare.

Ms JOHNSTON - Absolutely. You've spoken about those horrific photos that you witnessed and that you did provide to the Office of Racing Integrity and there was no -

Ms AINSCOW - The Office of Racing Integrity had the photos, Robin Thompson had them. He wouldn't give them any credit. Also, when I was interviewed by the Independent Stewards Panel, I gave them a full copy of those photographs and I told them who took them.

Ms JOHNSTON - Are you able to provide those to the committee? Is that something you could possibly take at a later date? I know you don't have them with you now, but just so

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to help the committee understand the reasons why you've been so motivated to speak out publicly.

Ms AINSCOW - Yes.

Ms JOHNSTON - In your submission, and you've spoken today about the occasion where Mr Helmich and Mr Neal attended your property to observe Mr Yole's property and at the time when they arrived before they had looked at Mr Yole's property, they advised you that you wouldn't be stewarding harness racing meetings again. Is that correct?

Ms AINSCOW - That is absolutely correct. That's the first thing they said to me.

Ms JOHNSTON - At that particular time you were advised that there was a conflict of interest because you were a neighbour, despite the fact you've been a neighbour for many years prior to that. I'm not sure if you've heard the evidence given by Ms Wilson immediately before your hearing here today, where they indicated that you were no longer doing harness racing stewarding because of conflicts of interest around your public statements about Mr Yole's conduct.

Are you concerned that there are two versions of the reason why you've been taken off harness racing stewarding? Well, there are potentially three, sorry. One that you have a conflict of interest because you're a neighbour; one because you've made public statements and around your concerns about the welfare of Mr Yole's horses. What's your understanding and has it changed over time, the reason that they've given you?

Ms AINSCOW - I think the reasons have changed. I can understand after I appeared in the ABC interview. I totally understand after that why I would not be a harness racing steward, but when Mr Helmich removed me that particular day -

Ms JOHNSTON - That was well before.

Ms AINSCOW - that was well before.

Ms JOHNSTON - The times you've explained to Mr Winter about, you provided reports both to Mr Helmich when he was Director and then Mr Thompson later when he was Director, have you ever received an acknowledgement of your correspondence?

Ms AINSCOW - Yes, they usually acknowledge it and they just say they'll look into it.

Ms JOHNSTON - But then no further follow-up after that or?

Ms AINSCOW - Any outcomes, I don't hear, no.

Mr WINTER - Just for those watching, you weren't on the stewards panel, but you're a steward doing the swabbing and all that sort of thing?

Ms AINSCOW - Yes.

Mr WINTER - So, when people came to you, you needed to pass it on to the chair or the Director of Racing, as you did quite rightly. In terms of what was actually happening with

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the information that you provided, did you have any concerns about the integrity of those on the stewards panel at the time?

Ms AINSCOW - Yes, I did.

Mr WINTER - What were those concerns?

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.

Mr WINTER - Dayle Brown's role was?

Ms AINSCOW - 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.

Mr WINTER - Is that the only concern you had around the integrity of the stewards panel, or were there other issues or concerns?

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

Mr WINTER - Sorry, who forwarded the email?

Ms AINSCOW - Somebody in the Office of Racing Integrity who had that email forwarded that email back to Ben Yole with the person's name on it.

CHAIR - Incredibly dangerous.

Ms AINSCOW - So, somebody within that office was directly contacting Ben Yole to tell him that somebody who worked for him had doxed on him.

Mr WINTER - How do you know that the email went to Mr Yole?

Ms AINSCOW - Because another employee who knew all about it has given me a written statement.

Mr WINTER - Are you able to share that statement from the employee?

Ms AINSCOW - In private, I will.

Mr WINTER - We can consider it and keep these in camera if required.

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Ms AINSCOW - Yes. 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.

Mr WINTER - I feel like it gets worse every time I ask the question. Do you have any other integrity concerns with the stewards panel?

Ms AINSCOW - No, well, probably. I don't know. I had concerns about, originally with the swab because my area of expertise is swabbing, and I understand sampling, the procedures, where it goes to, and everything. They have changed the way they seal the swabs now. It is in a much better format. Previously, I think, the swabs could have been tampered with. People had the ability to access them whereas they shouldn't have access now because the bags are sealed and every swab number is identified.

I am concerned that swabs have been either not analysed or not even sent, you know, or results have been hidden if they have come through because I worked for the Racing Science Centre and at times I actually processed swabs, so I understand exactly how the swabs get processed and what happens. 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? Surely, he could not have avoided getting a positive swab over five or six or more years that he'd been doing this and I just cannot understand it. I mean, has the drug testing lab not tested for that drug? I do not believe it.

Mr WINTER - So, you were physically swabbing the horses?

Ms AINSCOW - I swabbed, yes.

Mr WINTER - And, then your role was to take them to the swab room, is that right?

Ms AINSCOW - I collected the swabs. I sealed the swabs. I took the bag with the swabs down to the steward's room. A second steward, except in Mr Shinn's time, would then check off every swab. We would sign a document that we had collected so many swabs at this particular meeting and it would be signed. They would be put in a bag and a seal would be put on the bag. That bag would then be taken back to the Office of Racing Integrity and put into a cold room.

The other problem I have with swabbing here in Tasmania is they do for a lot of swabs, TCO₂ testing, which is bicarb, and a lot of the swab rooms here do not have refrigerators. Now, this is an absolute waste of time because they are blood samples; as soon as they heat up, the levels start to drop over time and, with heating, the levels would drop. So, all blood samples that are taken for TCO₂ testing should be refrigerated straight after they are collected and this does not happen in Tasmania. I think they take an awful lot of TCO₂s because they are cheap to analyse, rather than taking blood for full spectrum checking, which is what they should be doing, but it costs a lot more. So I think there is a cost problem with the swabbing.

Ms JOHNSTON - Can I just ask a follow-up to an answer you gave little earlier? Are you concerned that the Independent Stewards Panel has not spoken to everyone they should have been speaking to or who they are aware of who had evidence to provide?

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Ms AINSCOW - Well, I know for a fact that the person known as Riley, who is still currently a licensed person driving in harness racing right now, was never interviewed by the Independent Stewards Panel.

Ms JOHNSTON - So, by clarification, the Independent Stewards Panel knew of the existence of this person, obviously.

Ms AINSCOW - Yes.

Ms JOHNSTON - Do you believe they chose deliberately not to seek evidence from them?

Ms AINSCOW - I do not know. Look, I asked this person. I asked Riley whether they were interviewed and they said 'no' and I asked 'Did you hear from them'. Initially, Riley said he never heard a word from them. Then, some weeks later, Riley contacted me and said, 'I have to let you know that in my spam email from six months ago, I just found an email from the Independent Stewards Panel'.

So, they did attempt to contact that person, but they had the phone number, they had the person's name and they're a licensed person. They could have tried harder.

Ms JOHNSTON - There was no follow up to that?

Ms AINSCOW - There was no follow up, no. No follow up at all.

Mr WINTER - So, I am concerned about your statement around having received information about doping of horses and, as you point out, the lack of actual positives, particularly around that. Are you aware of any positive findings for horses - I know there has been in thoroughbreds, but in harness racing, in particular, any positive findings from the swabs?

Ms AINSCOW - Well, yes, there are positives, but the only positives from the Yole Racing stable have been a few arsenic samples and that usually comes from the horses eating treated timber in most cases. As for a positive swab for any other drug, as far as I know, there is none, which to me seems a bit unusual.

Mr WINTER - Again, in terms of the stewards panel and that information you received about TAB betting accounts, without obviously giving away a source or anything, can you explain the nature of the complaint you received?

Ms AINSCOW - I was contacted by a person who would prefer to remain anonymous. A person within the TAB organisation had a list of stewards' mobile phone numbers, not names. They ran those phone numbers through the system and they found two matched up to having betting accounts. I know the names of those two stewards, and I gave those names to the Independent Stewards Panel, along with the phone numbers.

Mr WINTER - Okay. We won't name them today.

I have another line of questioning. I just wanted to go to the Human Resources issues that you faced following all of these complaints. You have received employment directives and

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other things. Can you go through what the response from NRE was, and the sort of correspondence you received from them in relation to your public statements?

Ms AINSCOW - Yes. They did give me directives to keep my mouth shut.

Mr WINTER - Were they through employment directives?

Ms AINSCOW - Yes. I probably am at fault over some of this myself. The thing is, it's incredibly frustrating when people won't listen to you - when you think you have important information and you want to get it out there, and you can't because people want to suppress it.

Mr WINTER - Let's go to the ABC, in particular. You've made some quite explosive comments as part of the ABC report. What was the response from your employer after you appeared on the ABC?

Ms AINSCOW - I didn't hear from them, actually.

Mr WINTER - You just went to work as normal, and nothing happened?

Ms AINSCOW - I just went to work as normal after that, yes.

Mr WINTER - Then, at what point did you start getting employment directives from the NRE? What was the issue that pushed them to issue you with employment directives?

Ms AINSCOW - I believe employment directives came after I made comments in the private forum 'Save harness racing Tasmania'. I thought those comments were quite innocuous, actually. As I said, one comment was nothing more than quoting an Australian Harness Racing rule.

Mr WINTER - Given that your comments, as part of that ABC reporting, actually led to an independent inquiry from Mr Murrphy, which the Minister now relies on and says was a good thing - in fact, consecutive ministers have - do you think that the Office of Racing Integrity considered your comments to have been helpful then? It seems strange that they're now saying it's a good thing to have done the inquiry, but at the same time, they were providing you with employment directives telling you not to speak anymore.

Ms AINSCOW - Well, yes, basically. I mean, I have no regrets with speaking to the ABC. I can say that I'm really pleased that the Murrphy inquiry, as a result, took place. I really feel that Mr Murrphy did a very thorough and comprehensive job. From the private conversations I've had with people who have come forward, I believe that what he reported is absolutely the truth.

Mr WINTER - The other component of the outcome I wanted to ask you about is the sexual harassment text messages that you received and the impact on you. You go on the ABC, and can you explain what happened next?

Ms AINSCOW - After the ABC report was publicly aired, in the early hours of the morning my mobile phone went off and I started getting text messages of a very explicit sexual nature. Sexual photographs and messaging started to turn up. These happened on a number of occasions. I ended up going to the Exeter police station with my phone and I reported it to

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them. I actually had to make them take the report, because they just told me, 'Oh, just block the phone number.' I said, 'This is actually an offence. People can't go sending you explicit text messages of a sexual nature.' They didn't seem to really want to know about it, but I reported it. I made them take the take a report and they recorded it all.

Mr WINTER - The ABC comes out that night, at 7 that night, on the television, then the text messages are coming in a few hours after that?

Ms AINSCOW - I would say it might have been a couple of days. I would have on record exactly when those text messages started.

Mr WINTER - You'd never received anything like that before?

Ms AINSCOW - No, I've never received sexually explicit text messages.

Mr WINTER - Did they raise any comments about harness racing or the ABC reporting?

Ms AINSCOW - No.

Mr WINTER - Did they make you feel unsafe at the time?

Ms AINSCOW - No, it didn't make me feel unsafe. It just really annoyed me that they were doing it.

Mr WINTER - Yes. Understood.

CHAIR - Ms Pentland or Mr Wood, do you have any questions?

Mr WINTER - Unless you have anything else you'd like to add, Ms Ainscow?

CHAIR - You did flag that there was something you'd like to share with us *in-camera*.

Ms AINSCOW - Yes, I have something I want to share with you privately.

CHAIR - Is there anything that you haven't shared with us yet publicly that you would like to have the committee hear before we move into an in-camera session?

Ms AINSCOW - The only thing I can tell you is that the West Tamar Council has acted, and some of the Yole property has been reseeded. A large proportion of the dirt area has gone under grass, but where the horses are kept, they've all just been moved over onto another dirt area. When we get wind blowing, the dirt still goes, and as I say, when it rains, the mud is still generated. As far as I'm concerned, the horses should have access to shelter. I don't believe a rug is just shelter.

The other thing that I would like to add is that Robin Thompson stated that the Yole house was separate to the rest of the property. Now Wayne Yole is the trainer. I can assure you that when -

Mr WINTER - I think you might just be getting into some areas we might not want to get into in terms of the current appeal, so I reckon we'll do that in -

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Ms AINSCOW - In appeals? Okay, we'll leave that.

CHAIR - Before we move into the in-camera session, I'll just read the concluding statement to the committee.

Thank you, first of all, for your appearance and giving us your time today. What you have said to us today is protected by parliamentary privilege. Once you leave the table, you need to be aware that privilege does not attach to comments you may make to anyone, including the media, even if it is just repeating what you said to us today. Do you understand that?

Ms AINSCOW - Yes, I understand that.

CHAIR - Can we stop the broadcast, please?

THE WITNESS WITHDREW.

The committee adjourned at 11.18 a.m.