



Cassy O'Connor MP

Tasmanian Greens Leader

Member for Clark

Tuesday, 2 May 2023

Mr Ray Murrhly
Racing Investigation
GPO Box 44, Hobart, Tasmania 7001.
Via: racingreview@nre.tas.gov.au

Dear Mr Murrhly,

As longstanding advocates for the welfare of animals in Tasmania, the Greens have a strong interest in the investigation and findings of the Independent Review into the harness racing industry.

We maintain the Terms of Reference for this review are too narrow and should have included examination of serious, persistent integrity and animal welfare questions hanging over all three racing codes.

The codes are intimately connected. All exploit animals for profit then discard them. They are all heavily publicly subsidized, and all overseen by the one failed regulator in the Office of Racing Integrity.

It must be noted that the 2021 Monteith review was initiated in response to a specific allegation that the acting general manager requested a fine to be withdrawn and deleted from The Office of Racing Integrity's (ORI) systems, as well as general allegations relating to the office's dysfunction and low morale.

These serious allegations were not investigated or addressed in this review. As a consequence, and unsurprisingly, alleged failure of ORI to deal with alleged corruption within the industry has again prompted a review, a mere two years later.

It is therefore necessary that a forensic investigation into the manner in which ORI handled these complaints take place to determine whether ORI is fundamentally a corrupted institution that – far from being a regulator – runs cover for major industry players.

Evidence of Rot

The weight of evidence on the public record points to manifest corruption and cruelty in Tasmania's harness racing industry.

The thoroughness of the ABC's investigative report, and credibility of those who spoke up, left viewers in Tasmania and across the country in no doubt the industry here has many solid, decent participants but there is a rot at its core.

The ABC presented evidence of apparent team driving and race fixing, industrial scale neglect of animals, industry participants bullied and untrusting of ORI and its stewards, and a cosy culture that works to protect the biggest players like harness trainer, Ben Yole, and his close friend, greyhound trainer, Anthony Bullock.

According to The Office of Racing Integrity's (ORI) website, their Mission Statement is –

"The Office of Racing Integrity contributes to a healthy, growing and competitive racing and breeding industry by ensuring that it is safe, fair and credible."

Under the *Racing Regulation Act 2004* (the Act), the Director of Racing (the Director) has numerous functions. None of these functions relate to the growth, or competitiveness of the industry.

The view that "growth" of the racing and breeding industry is part of ORI's core mission is particularly problematic, and directly conflicts with their functions under the Act. We believe this contributes to a culture in ORI that has led to a deliberately ineffective regime of monitoring, and that avoids appropriate penalties – particular in relation to 'big players' in the industry.

It strikes the Greens that – as far as ORI is concerned – Yole and Bullock are too big to fail.

We urge the reviewer to examine decisions made by the office of racing integrity for inconsistencies, to determine whether favourable treatment is provided to major industry participants.

Wastage and Neglect

As the Greens have confirmed and presented to Parliament, Ben Yole sends his spent horses to Anthony Bullock to kill and butcher for his suffering greyhounds. It is a cycle of misery and early death for all these animals.

The sheer volume of animals being bred to race inevitably leads to obscene levels of what the industry calls 'wastage' – sentient creatures bred for profit and killed when the cost of feeding and homing them can't be justified on the balance sheet.

Attached to this submission are all the images of Ben Yole's horses which we have been sent by concerned constituents (appendix 1). The animals are crammed in to bare, dusty paddocks and – as reported by the ABC – allegedly eating their own manure for sustenance. These images were provided to the Minister for Racing, and ORI has responded with another fob-off letter (appendix 2).

Also attached, images demonstrating the fate of Ben Yole's horses on Anthony Bullock's property (appendix 3).

We are prepared to vouch for the authenticity of all these photographs.

Fear of Retribution

One of the reasons so much that is wrong with the harness racing industry has not been remedied by the Office of Racing Integrity or successive Tasmanian Governments is a genuine fear of retribution among industry participants.

There are credible allegations contained within the ABC report, and made by participants and whistleblowers, that ORI stewards are compromised and that some are wielding unchecked trackside power in a way that works against better animal welfare outcomes, the integrity of races, and appeals processes.

ORI appears to play favourites. Industry participants are fearful of getting the stewards offside. We urge you as reviewers to gain an understanding of the reasons for that fear. We believe it is well founded.

Apparent Double Standards

One example ORI's inconsistent treatment of industry participants and casual regard for animal welfare is that of harness racer, Gavin Kelly, who challenged the stewards' insistence he carry a whip, which he believes is unnecessary. Gavin Kelly was fined \$1000 in 2020 after a stewards' investigation.

In contrast, last year a stewards' inquiry fined Sarah and Mel Cotton \$400 - \$200 suspended on condition of no similar incidents in the next two years – for repeatedly beating a thoroughbred horse with a PVC pipe.

The failure to act in the face of clear breaches of the *Animal Welfare Act 1993* and the Rules of Racing is evident in a paper trail and public record that stretches back many years.

At the heart of these failings is the Office of Racing Integrity, enabled in its ineffectiveness by successive Tasmanian Governments, but during the worst of its failings, under a Liberal Government.

ORI has repeatedly demonstrated it cannot or will not, or is not empowered politically to, uphold industry integrity and meet community expectations.

With ORI, there's always 'nothing to see here'. Until recently, that too was the line being run by the Racing Minister and the Premier. It took the weight of evidence in the ABC report and repeated parliamentary pressure from the Opposition, Greens and Independent for this to stop.

To further demonstrate this point, attached is a transcript of Mr Justin Helmich's interview on ABC Mornings with Leon Compton on 28 March (appendix 4).

Parliamentary Hansard transcripts of relevance are also attached (appendix 5). We encourage you to carefully read the detail of the questions being asked of government in response to such serious integrity and animal welfare failures, and to note the lack of substance in the answers provided.

Conclusion

The Greens want to see an end to the greyhound, racing and harness industries. We believe this also reflects growing community sentiment. Because the three codes have failed to recognize this shift and adopt more humane, less greedy, practices, they are losing their social license.

An independent review that leads to another whitewash of the problems will only accelerate this shift of acceptance away from the industry. It will also deepen resentment that an irredeemably cruel and often corrupt industry receives more than \$30 million a year in public funding.

We recognize there are many honest, decent industry participants who genuinely love the animals, but as long as animals are bred and exploited for profit, there will be neglect and cruelty.

We note the Rules of Racing are effectively silent on animal welfare expectations of all industry participants. This requires attention. It is allowing a culture of casual disregard for sentient creatures who feel pain and experience emotion.

The Greens regard it as a matter of urgency that the *Animal Welfare Act 1993* be amended to include acknowledgement of mental suffering and the rights of animals to humane treatment. Key recommendations made by the Animal Welfare Advisory Committee in 2013 have yet to be implemented by government, despite repeated statements about animal welfare being a priority for government.

Horses are disappearing at the end of their profitable racing lives. Too little attention is paid to their ultimate fate. As we said, Ben Yole feeds his horses to Anthony Bullock's dogs. All horses bred in to racing should be tracked from birth to death, and fewer horses bred.

The RSPCA requires significant extra recurrent funding in order to undertake its inspectorate role. It is hard not to be cynical about the Minister's recent announcement of a \$200 000 one-off grant to the RSPCA when the heat was on government over allegations of cruelty and neglect in the racing industries.

It remains a matter of deep concern to the Greens that Ben Yole is still racing in the face of such serious, numerous allegations. Similarly, we note ORI continued to allow Anthony Bullock to race despite knowing he was operating without a kennel license for years.

The Office of Racing Integrity is highly compromised and has lost public confidence. It requires major restructure and reform. During this period, Integrity functions should be contracted to Racing Victoria.

ORI in its current form is beyond redemption.

Yours sincerely,



Cassy O'Connor MP

Greens Leader

Member for Clark

Appendix 1 – Ben Yole’s Horses











Appendix 2 – ORI Letter

Department of Natural Resources and Environment
Office of Racing Integrity

Enquiries: Justin Helmich
Ph: (03) 6777 1900 Fax (03) 6777 5148
Email justin.helmich@racingintegrity.tas.gov.au Web www.racingintegrity.tas.gov.au



Rosemary Mann
Email: rose.mann@bigpond.com

Dear Ms Mann

Thank you for your letter dated 1 February 2023 in which you expressed your concerns relating to the road incident at Rowella on 30 January 2023. I apologise for the delay in providing a response to that letter and I refer also to your recent email to the Minister for Racing, Hon. Madeleine Ogilvie MP (sent 25 February 2023). The Minister has referred this matter to me as it falls within my purview to consider as the Director of Racing.

Letter to Director of Racing (1 February 2023)

In your letter, you make several important points. Most notably, you highlight the importance of the welfare of the people and horses involved in the incident. As you are no doubt aware, the horses involved either died or were euthanised at the scene, and as has been reported in the media the people involved were injured and received medical attention.

I am aware that there is an ongoing police investigation into the crash, and it is firmly within the remit of the investigators to consider all potential causes of the crash such as vehicle compliance, including vehicle weight and roadworthiness, and any human factors, such as fatigue, which may have contributed to the incident.

Once the investigation makes its findings, the Office of Racing Integrity (ORI) will consider those findings to determine if there are any matters which need to be considered in relation to the Rules of Racing. More broadly, if there are learnings from the incident which affect the industry more globally, I will raise those in the appropriate forum.

In relation to the matters that you raise in relation to payments to staff, I can advise that those are matters that are within the purview of Fairwork Australia or the Australian Taxation Office. I encourage you to raise your concerns directly with those bodies along with any evidence supporting your claims.

Email to Minister for Racing (25 February 2023)

Your email to Minister Ogilvie reflected upon the conditions in which horses are kept at the Yole Racing property.

I can advise that stewards from the ORI regularly undertake inspections of the Yole Racing property. The ORI conducts inspections based on the risk profile of a trainer, meaning that trainers with more horses are inspected more regularly.

In addition to the inspections undertaken at the property, all horses that are presented for racing, including those trained by Mr Yole, are inspected at each race meeting.

Prospect Government Offices, 171 Westbury Road, PROSPECT TAS 7250 - PO Box 1329 LAUNCESTON TAS 7250

Any issues that are identified in respect of animal welfare or horse condition are dealt with by the stewards and reported publicly in the steward's report for the relevant race meet.

I am comfortable that the inspection regime that is in place in respect of welfare across all three codes of racing is satisfactory to ensure the welfare of animals in the industry. With that in mind, surveillance of trainers and stable conditions is ongoing, and I will instruct my staff to consider your feedback at the next inspection of the premises.

Thank you for writing to me in relation to your concerns. Feel free to give me a call to discuss your concerns further. I can be contacted on 0460 022 710.

Yours sincerely



Justin Helmich
DIRECTOR OF RACING
28 February 2023

Department of Natural Resources and Environment Tasmania – Office of Racing Integrity
Prospect Government Offices, 171 Westbury Road, Prospect - PO Box 1329 LAUNCESTON TAS 7250

Appendix 3 – Horses Delivered to Bullock









Appendix 4 – Helmich Interview Transcript

TASMANIAN PARLIAMENTARY LIBRARY MT 021-2023

PROGRAM: ABC RADIO MORNINGS DATE: 28 MARCH 2023 8:45 am
TITLE: OFFICE OF RACING INTEGRITY
PRESENTER: LEON COMPTON SPEAKER: JUSTIN HELMICH
TYPED BY: Captured from Isentia CHECKED BY: HR

COMPTON: Yesterday, it appears the government spent the day wildly trying to understand what to do from here to create an impression of activity and improved scrutiny in Tasmania's harness racing industry. Justin Helmich is the director of the Office of Racing Integrity. Justin Helmich, good morning to you

HELMICH: Good morning, Leon

COMPTON: Appreciate you talking with us this morning. I want to play you a bit of Gavin Kelly. I'm not sure you heard all of it just a moment ago

KELLY: On the whole, absolutely not. The Office should be closed. It should be suspended immediately. But I'd hate to tar everyone there with the same brush

COMPTON: I haven't spoken to too many people, Justin Helmich, who say they have confidence in your office and your management of your office. What's your response to that?

HELMICH: Well, look, I, absolutely have confidence in the stewards, and I've got confidence in the capacity of the Office of Racing Integrity to be able to undertake its functions. I haven't got the background behind what Mr. Kelly said there. I wasn't listening. But look, I, absolutely have confidence in the stewards. There are skilled and experienced people who are at each race meeting, ensuring racing is conducted in a safe, fair and credible manner. And look, the Office of Racing Integrity conducts racing in accordance with the rules put in place by Tasracing, and I think the stewards do that effectively.

COMPTON: And the question is, do you follow those rules? The Office of Racing Integrity is now being investigated, according to the Minister yesterday. Are you going to be standing down while that investigation takes place?

HELMICH: Well, I haven't been asked to stand down and I will certainly await the outcome of the review. In terms of the - firstly there's been an amount of discussion in relation to why these matters were (weren't?) referred back to the Office of Racing Integrity in the first place. That was not accurate. They were referred to me as the Director of Racing and that is the appropriate course of action. That's because that's where the power lies under the Act. It is, of course, important that I stay at arm's length from this review because I've already had some input into the decisions that have been

made to date. What I can assure you is that I have no role in the review to be undertaken. The relationship between the role of Director of Racing and the General Manager of the

Office of Racing Integrity, which is a dual role that I hold, is a complex one that is well documented. The Government has identified this through the review of the Racing Regulation Act and the Government has resolved from that review to make changes subject to parliamentary approval, which will augment that framework.

COMPTON: And yet that process was progressing glacially, and then the ABC issued this report over the last 48 hours. My question to you, Justin Helmich, is how much of what was revealed by the ABC investigations team was actually a surprise to you?

HELMICH: So there were aspects of that... Look, I don't want to go too far into that, Leon, because obviously some of those matters that were on that report will be the subject of another review by an independent person. So I don't want to get too far into that. But certainly the stewards did conduct reviews of the races that were noted within that report. And also the stewards of the Office of Racing Integrity have been and reviewed the circumstances that exist at the Yole racing stable in terms of animal welfare. So broadly, I'm across all of those all of that information. In relation to the betting that's been alleged on the ABC report, that is not something that the Office of Racing Integrity has been made aware of. And that was the first time that I've heard that.

COMPTON: How can that be, given that the two issues are completely interlinked, potential team driving, leading to one horse winning and the connection that has with a potential betting plunge on the outsider in the case of race nine at Burnie that ultimately won the race?

HELMICH: So look I think that the stewards have the opportunity in undertaking their reviews of the races to seek information in relation to betting. That is not something that happens in relation to each and every race. The stewards in that instance deemed that the actions within the race were satisfactory based on their reading of the race.

COMPTON: Does that trouble you Justin Helmich? I'll play you a bit of Dean Winter. This is the Shadow Racing Minister who was standing on the rail during race nine in Burnie earlier this year.

WINTER: I was there on the rail watching it and speaking to participants afterwards who just sort of have their mouths wide open. How on earth did this happen? And then waiting for an inquiry from the stewards as to what happened so they could ask questions and then you open the stewards' report a few days later and they haven't even asked the question.

COMPTON: They hadn't even asked the question. Does that concern you as the head of Racing Integrity?

HELMICH: Can I get you Leon just to clarify which race nine at Burnie we're talking about?

COMPTON: We are talking about Burnie Cup Day race nine in Burnie. The Yole stable had both the favourite and the outsider that ultimately won. And there were real questions that, as Dean Winter said there, left people with their mouths open about the way that race was run. That's what I'm talking about specifically. I'm asking for your specific response to that, please.

HELMICH: Well, my specific response to that is that the stewards in their analysis of that race would take into account a variety of aspects. They would read the race, they would undertake an analysis of the form. They would consider the tactics that were adopted during the race and also the tactics in this instance in relation to the Yole racing stable who would have had multiple runners in that race. They would have provided those tactics to stewards. And there are a number of subjective factors which the stewards also consider, and that's also complicated by the track at Burnie. Now the stewards considered that on the day. The stewards made a determination or placed their determination within that report. That is something that has been indicated by the Minister that will be subject of review by an independent person. So it's probably not appropriate for me to go into.

COMPTON: But it happened under your watch, Justin Helmich, and then rather than the subjectives, let's get to the objectives, bets that were put on the eventual winner, the outsider Written in Silk in the minutes before that race included a \$500 wager at odds of \$23, another wager at \$200 at odds of 19. Given that, was that plunge investigated?

HELMICH: So thanks, Mr. Compton. The issue there as I've raised, when the article undertaken by the ABC came out on the weekend, that was the first that the Office of Racing Integrity was aware of that betting plunge. Now, in terms of that, as I said, betting analysis is not something that is routinely - or it's routinely done, but it's not done in relation to every single race. It is a weakness that's been identified, and the Department of Natural Resources and Environment Tasmania and the Office of Racing Integrity have identified this and will put on a betting analyst so that those types of things can be undertaken on a real time basis to ensure that that information is available to the stewards whilst they're making their determination and whilst they're watching -

COMPTON: To be clear, you endorse the conduct of the stewards and your office ultimately off the back of race nine Burnie Cup night in January?

HELMICH: I support the stewards in relation to all the activities that they do. I've got confidence in relation to the stewards. And as I've indicated, these are skilled and experienced people who understand racing. They understand how to read a race, they understand how to conduct an analysis of form. And look, I have discussed these matters at length with the stewards in terms of what decision making they went through. Now, I won't go into that any further because I suspect that the independent person assigned to undertake the review will also want to speak to those people. It's not appropriate that I discuss it here, but I have absolute confidence in the stewards.

COMPTON: On mornings around Tasmania, Justin Helmich, is our guest this morning, Director of Racing and the Office of Racing Integrity. Justin Helmich, it's been interesting seeing how many people say they are happy to send us a text and then say they're scared to talk. You heard the emotion or may have heard the emotion in our previous guest, Gavin Kelly's voice worried about persecution on the track. Will he be absolutely safe and welcomed to his next harness racing meet off the back of airing criticisms of the Office of Racing Integrity?

HELMICH: Look, absolutely. I think any allegation of retaliation, fear of making a complaint or complainants alleging to have been victimised is a very, very important

matter. In terms of that, if someone has a concern that they are being victimised or they might be victimised, there are certainly options open for them within -

COMPTON: But don't all those options lead to you, with respect?

HELMICH: No they don't. There are a number of other options, so the Integrity Commission can take complaints in relation to the actions of the stewards or the Office of Racing Integrity or myself as the Director, and the Department can also take complaints in relation to activities, customer service type complaints. But yes, certainly matters related to the application of the rules by the stewards, under normal circumstance would come to me. As I indicated in the initial comments that I made, the Act is framed in such a way that it

is my role to make sure that the stewards do enforce the rules of racing appropriately, bearing in mind the reading of races and the decisions of the stewards, a lot of that is subjective. It's the reason why that there is a stewards panel there as a general rule, there are two or three people on a stewards panel so that you can get a diversity of opinion, so as a general rule, they can come to the right decisions.

COMPTON: I just want to raise a couple of other issues with you. And I know that you're relatively short of time this morning. I appreciate you coming on. Justin Helmich is our guest, head of the Office of Racing Integrity.

A member of the Breeders Owners, Trainers, Reinspersons Association texted yesterday, Justin Helmich, they said they'd raised concerns with you and the Minister about issues in harness racing for more than a year, and they say their concerns were ignored and that they were persecuted as a result. What's your response to that from one of the peak representative bodies in racing in Tasmania?

HELMICH: Look, that's a twofold question. The first part of it is that there were responses made, but there was no - the matters were not ignored. Responses were provided in relation to the issues that were raised by both the Department of Natural Resources and Environment and indeed me in my role as the Director of Racing. In relation to him, or the person being victimized, I would - look, for those sorts of things, if that person believes that they have been victimised, they should refer that to the Integrity Commission with the associated evidence, so that -

COMPTON: What about this as an idea: is it true that after Sean Kennedy, president of BOTRA, the group I've just named, raised complaints in the media about the Office of Racing Integrity and with the Minister he subsequently had his licence to drive in harness racing revoked?

HELMICH: That is not correct. That is absolutely not correctly, Leon, and if that's been provided to you as information that is absolutely inaccurate.

COMPTON: Has his licence to drive harness horse has been revoked?

HELMICH: No, his licence was the subject of a renewal. Look, I'm sure Mr. Kennedy has raised this with you, but I -

COMPTON: Sorry, I just want to be absolutely clear. That has not happened specifically, but it has been brought to my attention by another party.

HELMICH: Right. Okay. Look, let me say that the process that you're talking about, I'll speak broadly, the process that you are talking about is that the participants' licences come up for renewal. If the renewals are placed too late in the piece, just like if you do not renew your driver's licence in time, your driver's licence will expire. It is the same process, and indeed, if someone puts in their licence application too late, then they will need to have that renewed, and sometimes that takes a couple of days. Now, if that is an allegation that is being made, then I suggest that

person raises that, and has that reviewed because I don't believe that is accurate.

COMPTON: I appreciate you talking with us this morning. Thank you for your time. It will be interesting to see what the ministerial investigation or the government inquiry finds into this. Thanks for your time this morning.

HELMICH: Thanks, Mr. Compton. END

Appendix 5 – Question Time Hansard

Wednesday, 29 March 2023

Ms O'CONNOR question to MINISTER for RACING, Ms OGILVIE

As you know, harness racing trainer Ben Yole has a very similar business model to the notorious greyhound trainer, Anthony Bullock. Both men are, unsurprisingly, very close friends. They are mates. Just like his mate, Yole, who seems to have the favour of the Office of Racing Integrity, when Bullock was found not to have a kennel licence last year, ORI refused to stand him down from racing.

Are you listening to the question, minister? You just walked over to the adviser's box and had a chat with your adviser.

Once Yole's neglected horses reach their use-by date, he sends them down the road to Bullock to kill, butcher and feed to his dogs. Such is the Tasmanian racing circle of death.

If you would like to see the revolting truth of the nexus between Ben Yole and Anthony Bullock, we have pictures here of horses strung up, of horses being dragged to their death. I am very happy to pass them on to you, minister.

Are these images of horses being led to their death, of strung-up carcasses, of butchered bodies and entrails, what you would call 'an industry that has never been in better shape'?

ANSWER

Mr Speaker, I thank the member for her question. It is very concerning that there are issues in animal welfare. I cannot tell you how much I care about animal welfare. To address that, we have been working hard, over many years, to reform the regulatory structures of this industry. We have developed the Monteith report. We have given a detailed response to that, and we are developing new legislation.

Today, I was able to announce the name of the investigator who will do that full review, and we want that to occur. Anybody who has information like that, which you have held up in the Chamber this morning - and I hope you have reported whatever you have to the appropriate authority -

Ms O'Connor - It has been reported, do not worry about that.

Ms OGILVIE - to the RSPCA, who I know has visited those sites a number of times, because they have had those conversations. I am obviously concerned about that. However, let me say again, this industry is incredibly important to Tasmania, and regional and rural areas in particular. We have families who live and breathe the racing industry, who put their hearts and souls into it, who love their animals, who love their jobs. They are passionate about it. This is their livelihoods, these are their jobs. It is incumbent upon us, here in Government, to make sure we have the best industry we can.

That is why the reform process has commenced. That is why I am pleased to be leading the reform process. The work is occurring -

Dr Woodruff - It is going to investigate you. That is the point - you need to be investigated.

Mr SPEAKER - Order.

Ms OGILVIE - What I get from those opposite - and I think we saw this yesterday - is a relentless attack on me personally. Let that not continue to taint the extraordinary work being done every day by good, hardworking men and women of the racing community, of their families, their kids, their local communities and the grassroots communities around them.

Tuesday, 28 March 2023

Ms O'CONNOR question to MINISTER for RACING, Ms OGILVIE

We have been made aware of an owner who says that after making a complaint to ORI's Director of Racing, former Liberal staffer Justin Helmich, about the welfare of a horse purchased from the Yole stables, they received threatening phone calls from an unknown person warning them to stop. How could this happen unless someone inside ORI was sharing information with Ben Yole or someone who works with him?

ANSWER

Mr Speaker, I thank the member for Clark for her very important question. It is really important that when these issues arise they are reported. The Leader of the Greens has raised an issue today that is of great concern.

Ms O'Connor - It was a complaint to ORI.

Ms OGILVIE - I say again today - and let me reiterate and be very clear - that I am really proud today of taking the strong and decisive action of launching an

independent investigation. It is important that we provide a level of assurance across our organisations, across the racing sector, across everything that we do in probity, integrity and animal welfare.

Ms O'Connor - This is someone who passed information on to ORI and was getting threatening phone calls.

Mr SPEAKER - Order, member for Clark.

Ms OGILVIE - You asked me to take action and today we are taking action. This is strong and decisive action on the part of our Government. It is the right thing to do. I look forward to having your contributions.

Tuesday, 28 March 2023

Ms O'CONNOR question to MINISTER for RACING, Ms OGILVIE

You were personally contacted about serious animal welfare issues at Ben Yole's stable almost two months ago and you did not even respond. We also know you have been contacted about allegations of team driving.

Our officers also heard from a whistleblower who wrote to the minister, chief steward and the Office of Racing Integrity two years ago to pass on information about a group of Yole drivers operating a private betting scam along with a team-driving practice. The whistleblower believed they had already made tens of thousands of dollars and no action was taken by ORI. So scared were they of repercussions, this person sent the letter anonymously and destroyed all copies.

This is an industry you say has never been in better shape. You sat on these serious allegations for months without acting until they received media attention. Following Sunday's national media embarrassment, your first instinct was to have ORI investigate, even though ORI themselves are at the centre of this whole stinking mess. On your watch, this looks a lot like state-sanctioned and subsidised cheating, industrial-scale animal cruelty and, potentially, corruption. Minister, why have you not resigned in shame?

ANSWER

Mr Speaker, it is an important question. The issue we are discussing today is very important and goes to the heart of probity, integrity and animal welfare in the racing industry.

Dr Woodruff - And your credibility.

Mr SPEAKER - Order.

Ms OGILVIE - I have always taken action when it comes to any concerns -

Ms White - That is a lie.

Mr SPEAKER - Order. You will withdraw that, Leader of the Opposition.

Ms WHITE - I withdraw, Mr Speaker.

Ms OGILVIE - over integrity and animal welfare. All credible concerns have been referred to the appropriate authorities for expert investigation.

Ms O'Connor - Who's that? ORI?

Ms OGILVIE - I am aware of social media commentary and other commentary around this matter, but it is right and proper that I refer matters that are brought to my attention by way of complaint to the authorities, and that is ORI and the Director of Racing. That happens as a matter of course.

I have and will always elevate our response according to the circumstances. That is why, with regard to these latest claims, I decided not just make that referral to ORI but I have also launched an independent review. I am proud of the fact that we are taking this strong and decisive action.

Ms O'CONNOR - Point of order, Mr Speaker, under standing order 45, relevance. Perhaps the minister could address the question which was why she has not resigned in shame?

Mr SPEAKER - Order. A point of order is not an opportunity to make an argument again or re-ask the question. The minister is answering the question as I see it. I will allow the minister to continue.

Ms OGILVIE - Thank you, Mr Speaker. My responses have always been timely, targeted and appropriate and I have not delayed. Probity, integrity and animal welfare are the bedrock of our approach to racing. It is very important, has always been and will always be of prime importance.

These issues of probity and integrity are critically important in the racing industry because they underpin confidence in our industry, in our sector and what we do across all three codes in this state. My position and our Government's position is clear: we will not compromise on integrity or animal welfare. We are launching today - and I am proud to do it - an independent investigation -

Members interjecting.

Mr SPEAKER - Order.

Ms OGILVIE - the terms of reference, which are currently being prepared and will be made publicly available. No doubt people would like to have some input into that. I have determined that this investigation needs to be independent of the ORI. The Premier and I agree on this approach.

Members interjecting.

Mr SPEAKER - Order.

Ms OGILVIE - I will not be discussing specific plans, particularly allegations raised in recent reports. I assure the House that probity, integrity and animal welfare will always come first. As we develop the terms of reference, they will be made publicly available and an appropriate independent expert will be appointed.

Mr Speaker, for the record, over the weekend I asked the Department of NRE Tasmania to immediately also carefully review the information contained in the media reports. Yesterday, in addition to that, I announced this independent review into the allegations.

Ms O'Connor - Yes, under pressure.

Ms OGILVIE - I hope that all the people in this House who care about our racing sector, about animal welfare, and about integrity and probity will endorse and get on board with this investigation.

Thursday, 23 March 2023

Ms O'CONNOR question to MINISTER for RACING, Ms OGILVIE

On 5 February the Madeleine Ogilvie Stakes were held in Carrick and were taken out by Tasmania's biggest harness racing trainer, Ben Yole, the Anthony Bullock of the harness industry. You have been sent distressing photos of Ben Yole's horses on his property. Have you referred these images for investigation? The photos show dozens of miserable horses -

Mr SPEAKER - Ms O'Connor, you do not have permission to use a prop, so please do not abuse the standing order.

Ms O'CONNOR - I am just refreshing myself as to the imagery and here they are, pictures of suffering horses. The photos show dozens of miserable horses packed into small, bare paddocks, hooves deep in mud, starving and, we are told, having to eat their own dung for food.

Minister, is this appalling animal welfare standard what you would expect from Tasmania's so-called 'top trainer' who makes, in his own words, 'about \$100 000

a month' from his horses? There are questions about that too. Are Mr Yole's operations standard practice for the industry, or will you call them out today?

ANSWER

Thank you, Mr Speaker, another important question. The Government and Tasracing, as I have said, are investing more money than ever before into greyhound and horse welfare to ensure they are treated with dignity and care during and after their racing days.

Mr Ben Yole is the leading Tasmanian harness trainer and I am aware there is commentary on the number of starters that Mr Yole provides. We are looking for a diverse industry where animals are treated well, and as I have said a number of times today.

We have invested more money than ever before into welfare issues. I am advised that Tasracing has communicated to industry stakeholders a proposed rule which would see a trainer limited to the number of horses that can be entered into predetermined races from one stable, so that goes to the question of the number of horses.