




Speech By
Stephen Bennett

MEMBER FOR BURNETT

Record of Proceedings, 21 April 2016

RACING INTEGRITY BILL

 **Mr BENNETT** (Burnett—LNP) (11.48 am): I rise to oppose the bill and I will outline my reasons for this in my second reading debate contribution. I thank the committee for its work. The committee deliberations were difficult. Many submitters posed a lot of questions to the committee. I acknowledge the committee staff, who did an amazing job in putting the report together. I also acknowledge the departmental staff. I will talk about that process, but I clearly acknowledge that there was a lot of work done throughout the committee's deliberations.

I did support many of the recommendations of the Agriculture and Environment Committee's—what we saw as—quite damning parliamentary report No. 15. I acknowledge that the government has proposed to implement the committee's recommendations, and I think that is a positive step forward. The Agriculture and Environment Committee, which inquired into the bill, described the department of racing's consultation as 'regrettable'. It was somewhat difficult for the committee to draft the wording for recommendation 1 with regard to the departmental officers' lack of engagement with the industry—there were a lot of submitters that talked about lack of respect and consultation—as, in a politically correct world, our first recommendation highlighted that introducing a bill for all three codes of racing based on an inquiry into the greyhound industry was going to have problems, especially when, as we heard, the communication was lacking.

I wish to clarify my comments, as I alluded to earlier, in relation to the department. I acknowledge that they are and many times were operating under instruction and were constrained to saying, 'This is outside the policy intent of the current government.' There was significant criticism of the department of racing's lack of consultation with all industry stakeholders. People like the turf clubs, animal owners, jockeys, breeders and trainers and the bodies representing them were all excluded from the drafting of this bill.

There should be criticism of the department and lack of genuine commitment to the many committee requests that still to this day remain unanswered. To be fair, the issues about the cost of implementation of the proposed bill remained unanswered until yesterday, even after several attempts by the committee to seek clarification of this important issue. The department deflected this issue back to the minister, and it is acknowledged, as I said, that the financial proposition has been tabled and it will continue to be reviewed and scrutinised.

The department also failed to answer important questions relating to section 23 of the Legislative Standards Act 1992 in relation to the expected administrative costs to government in implementing the bill—again, referring the committee back to the minister to deal with operational issues. This left no doubt that the bill was flawed. Section 23 of the Legislative Standards Act 1992 states that the explanatory notes for a bill must include, in clear and precise language, '(e) a brief assessment of the administrative cost to government'. This issue did remain unresolved. We saw these as serious

breaches in our committee deliberations. The committee heard from several submitters who were really concerned about the bill still being uncostered, with the real fear that the costs will ultimately be borne by the racing industry. Again, I acknowledge that those costs were tabled yesterday.

The committee's summary of the eight recommendations revealed that it 'could not agree whether the bill should be passed'. Without specific costs, the committee concluded that it was 'difficult to gauge whether the anticipated benefits of the bill are worthwhile'. The committee stated that this omission by the department is particularly regrettable for the state's horse racing interests and sought clarification from the minister as to how the amount of funding that racing control bodies provide for the Queensland Racing Integrity Commission will be determined and the controls that will be established to ensure the commission's costs are kept under control and to a minimum. There is now a response to recommendation 2.

I asked numerous questions of the department during the committee inquiry with regard to the implications for Queensland taxpayers into the future. We see again an attempt to further erode what appears to be the relationship between government and the racing industry. Transcripts of the department's responses to our questions left the committee somewhat surprised and intrigued. It appeared that the officers, most probably sent in under direction, were not familiar with basic information in relation to the bill. For example, they could not or would not elaborate on the arrangements for parallel legislation in other jurisdictions and they did not have the details of organisational structures, staffing numbers, possible unintended consequences, regulatory impacts on other departments, resistance to change in the industry and financial impacts on the state budget.

The committee was critical of the consultation process and lack of specific funding details. We did support the new seven-person board structure, concluding that a representative from each code was sufficient to ensure that the board was well informed. However, there is considerable industry opposition to the changes in the bill from all three codes—thoroughbred, harness and greyhound. The committee heard many submissions and serious concerns about the proposed board's capacity to govern the three codes.

The bill extends the powers to authorised officers by mirroring those powers given to authorised officers and inspectors under the Animal Care and Protection Act in relation to powers of entry, seizure and the issuing of an animal welfare direction. The bill also inserts new information-sharing powers within the Animal Care and Protection Act which are mirrored in the proposed Racing Integrity Act. These provisions raised significant and serious concerns within the industry, as was reported in the committee.

We continue to have significant reservations that the inquiry that started as a result of animal cruelty issues in the Bundaberg region has created a need to seek amendments to broaden the commission's function to include the promotion of animal welfare. I note that the minister in recommendation 4 is going to deal with clause 10. Those who listened to any of the deliberations of the committee would have heard my passion and concern about animal cruelty. The committee agreed in recommendation 4, and the minister has agreed, that the issues of animal cruelty that there the origins of the inquiry and the drafting of the bill were, up until yesterday, not adequately addressed. The commission's functions to include the promotion of animal welfare and the prevention of cruelty is a must in the industry, and I think we all agree.

Animal cruelty featured regularly during the committee's deliberations, and recommendation 6 highlighted the need to amend section 68(3)(b) of the bill to stipulate that a licence application cannot be granted for those who have a previous conviction. It was also recommended that, after 12 months of operation of the proposed Racing Integrity Act, the agreed provisions be reviewed and that further amendments to the animal Care and Protection Act may be required. It is great to see that in the bill as well.

The clear overreach capacity of the minister in the bill was addressed in recommendation 5, with the committee recommending that amendments be made to clause 13 to remove the provision of the minister giving directions to the commission in relation to a decision made by the commission under the rules. Again, this has been addressed.

Many concerns were raised in relation to the bill's intent in establishing a new Racing Integrity Commission, which dissolves the existing arrangements and separates the integrity functions of Racing Queensland into a separate body. Of significant concern was the cost—now we have firm figures. We did hear during the committee that the estimated cost to Racing Queensland, to the taxpayer, was \$8 million.

During the committee deliberations I did ask senior members of the department about where the funds would come from for the Queensland Racing Integrity Commission. The response received at that point in time did cast significant doubt over the strength or confidence that this was good policy. The answer provided stated—

The budget for the Queensland Racing integrity commission (QRIC) has not yet been finalised. The QRIC is anticipated to commence on 1 April 2016, subject to the passage of the legislation.

The budget for QRIC will be comprised principally of existing integrity-related resources from the Office of Racing, Department of National Parks, Sport and Racing and from Racing Queensland.

For the period from QRIC's commencement to the end of the financial year, additional funding required to deliver on the Queensland Greyhound Racing Industry Commission of Inquiry will be covered by the Queensland Government. These are not expected to be significant and not of the quantum reported in the media.

For the 2016/17 financial year, QRIC's budget and RQ's contribution to that budget will be established through the normal government budget processes.

The committee heard that the government had really not much idea at that point in time about the impacts. I thank the minister that clarity has now been provided for stakeholders to absorb.

The committee received significant correspondence from many submitters clearly concerned that the bill did not recognise that there are many circumstances where racing is successfully conducted. Examples were given such as thoroughbred racing is conducted both at country race meets and also at city venues, some with partnerships with the TAB. Harness racing is also conducted in the city and the country. Both can occur at other venues such as agricultural shows or other activities. What is clear is that standards are created at these different locations and arenas. The concept of 'one size fits all' was raised with the committee many times and it raised the prospect that there can be only one winner. These are not my words, but it was feared that a large section of country racing would cease based on one size fits all. Again, many submitters raised that issue.

There are many areas of concern that will affect the Queensland racing industry with the passage of this bill, an industry which is the third largest employer in the state. It has been estimated that the sector employs some 50,000 people—people like veterinarians, veterinary product suppliers, food and fibre feed suppliers and growers, transport, stock and station agents, and wagering operations. You could never count the number of volunteers from the many race tracks and related entities right across Queensland. I note my own Rotary Club, the Rotary Club of Bundaberg Sunrise, could possibly be affected from continuing our regular volunteering at the Bundaberg Race Club. We should not produce legislation that has the potential to disrupt a truly enjoyable community activity—that is, country racing. We also recognise the substantial tourism dollars and generated commercial activity related to this industry.

The fact that many stakeholders raised concerns and flagged possible implications on many aspects of the bill cast enough doubt in my mind that the issue of animal cruelty which occurred in my electorate—which was the origin of the inquiry in drafting the bill in the first place—remains a concern to me, as it did throughout the committee's deliberations. I have formed my own position that the bill should not be passed.