

Minister for Sport and Recreation
Minister for Racing

Level 5, 4 Salamanca Place, Hobart
Public Buildings, 53 St John Street, Launceston
GPO Box 123, HOBART TAS 7001
Phone: (03) 6165 7780; Email: Minister.Howlett@dpac.tas.gov.au



The Hon Peter Gutwein MP
Premier
premier@dpac.tas.gov.au

Dear Premier

Thank you for your letter of 17 February in which you provided me a copy of the Code of Conduct for Ministers and the Tasmanian Government Lobbying Code of Conduct.

In accordance with the requirements under the Code of Conduct, I wish to advise you that I do not have any direct conflicts of interest in relation to my portfolio responsibilities of Racing and Sport and Recreation. However, I do wish to alert you to the following matters in order to clarify any perceptions of a conflict arising from my Ministerial duties:

- I have formally resigned as Patron of the Carlton Park Surf Lifesaving Club and of the Oatlands Football Club, in order to ensure that there is no perceived conflict of interest in relation to my association with these clubs as potential recipients of public funding. I intend to remain a Member of both Clubs.
- I will also remain a Member of the Dodges Ferry Football Club and I intend to continue to personally sponsor the Mount Pleasant Cricket Club.
- I also intend to remain a Member of the Wakeful Club, a social organisation that supports women in the racing industry.

While I have no direct interests in the racing industry and am not a beneficiary, financial or otherwise, from participants in the industry, I make the following disclosures in order to be completely transparent:

- My father in law, s.36 and mother in law, s.36 are owners of the horse-breeding property Cressfield, in New South Wales. They are also owners or part-owners of two horses that compete in Tasmania. s.36
s.36

My extended family also has involvement in the racing industry. These interests include:

- My uncle, s.36 and aunt, s.36 own three thoroughbred horses, which are stabled in Sydney. s.36 trains up to two horses on their property at Dysart.
- Another aunt, s.36 and my cousin s.36, own and train greyhounds in Southern Tasmania. s.36's son-in-law s.36 also owns, trains and breeds greyhounds.

I reiterate that while the above information clearly does not represent either a direct or perceived conflict of interest with my Ministerial portfolios, I bring these to your attention in the interests of absolute transparency.

My separate disclosure of pecuniary interests to the Legislative Council, last updated on 30 September 2019, remains current and does not contain information on any direct or indirect portfolio-related interests.

I will keep you informed of any significant changes to information should a real or potential conflict arise in the future.

Yours sincerely



Jane Howlett MP
Liberal Member for Prosser
20 February 2020



PREMIER OF TASMANIA

Hon Jane Howlett MP
MINISTER FOR SPORT AND RECREATION
MINISTER FOR RACING

6 MAR 2020

POTENTIAL CONFLICTS OF INTEREST

Thank you for your advice of 20 February 2020 concerning the potential for your membership of various sporting and recreation clubs, and your extended family's interests in the racing industry to cause potential conflict or perceived conflict with your new Ministerial duties.

I agree with you that these interests do not give rise to an actual conflict with your Ministerial duties.

However, it is clearly sensible to establish a procedure to allow you to manage or avoid any specific actual or potential conflict of interest that may arise in your work as a Minister.

I have sought advice from the Secretary, Department of Premier and Cabinet (DPAC), who liaised with the Office of the Solicitor-General.

Given your membership of several sporting organisations, and your extended family's interests in the racing industry, it is prudent for you to be alert to any decision that comes to you as a Minister (a 'decision of concern') or to Cabinet for discussion and decision (a 'matter of concern') that directly affects a sporting or recreational club of which you are a member, or specifically affects your extended family's racing industry interests.

In either case, should a concern arise, you should declare a potential conflict of interest at that time and follow one of the procedures described below. Before initiating a procedure, you may seek advice from the Secretary, DPAC, or directly from the Solicitor-General, about the potential for a matter to be of concern.

Decision of Concern

- o As soon as you become aware that you could be asked or required to make a decision of concern, you are to contact me, or my office, with details of the situation (including nominating a Minister to act on your behalf).
- o I can then arrange for formal notification to the nominated Minister to act on your behalf in relation to the matter, or for a period of time to allow a matter to be considered and a decision made.
- o The nominated Minister is to be briefed appropriately by your office/and or departmental staff and can, if appropriate, make a decision for and on behalf of you as Minister for Sport and Recreation, or Minister for Racing.
- o I have attached a draft example of an 'Acting Minister Authorisation' template.

Matter of Concern

- o If you become aware of a matter of concern before a meeting of Cabinet, you are to inform me (or the Acting Premier) beforehand and you are to absent yourself from any part of the Cabinet discussion at which the matter of concern is discussed.
- o If during a meeting of Cabinet, you become aware that a matter of concern is being or is about to be discussed, you are to inform me (or the Minister chairing meeting at that time) as soon as you form that opinion. On being advised, the relevant chair will suspend the part of the business of the meeting that gives rise to the matter of concern, and defer its consideration to a suitable time at which you will ensure you are absent while the matter of concern is discussed.
- o In either case, any Cabinet Decision that records the deliberation of Cabinet for the matter of concern will record the fact that you disclosed the conflict, were not present and did not take part in making the Decision.

I remind you that Ministers are individually responsible for preventing conflicts of interest. Ministers must take reasonable steps to avoid, resolve or disclose any material conflicts of interest, financial or non-financial, that arise or are likely to arise, between their direct and indirect personal interests and their portfolio responsibilities. Should any conflicts arise in the future, the Code of Conduct for Ministers makes clear that you must declare such conflict of interest in writing to me as soon as possible after becoming aware of the conflict.

Should staff in your Office or departmental officers have any further queries concerning the management of actual, potential or perceived conflicts of interest that may arise, in the first instance they can contact Ms Kim Enkelaar, Director, Office of the Secretary, Department of Premier and Cabinet. Ms Enkelaar may be contacted by email at kim.enkelaar@dpac.tas.gov.au or by telephone on 6270 5654.

I have also provided a copy of this memorandum to the Secretaries of the Department of Premier and Cabinet and the Department of Communities Tasmania, and the Acting Secretary of the Department of Primary Industries, Parks, Water and Environment, together with a copy of your letter of 20 February 2020.

Further, I consider it prudent that you provide a copy of your letter dated 20 February 2020 to the General Manager, Office of Racing Integrity for information.



Peter Gutwein MP
Premier

Attachment

Copy to: Secretary, Department of Premier and Cabinet
Secretary, Department of Communities Tasmania
Acting Secretary, Department of Primary Industries, Parks, Water and Environment



PREMIER OF TASMANIA

3

31 May 2021.

The Hon. Jane Howlett, MLC
Liberal Member for Prosser

Dear Jane

Minister for Small Business, Minister for Women, Minister for Sport and Recreation and Minister for Racing

Congratulations on your appointment as a Minister of the majority Gutwein Liberal Government; we have our mandate and will deliver our plan to secure Tasmania's future.

Over the last seven years we have demonstrated we are a disciplined, united and responsible Government. We have built the foundations for, and sustained, strong economic and jobs growth for our State, and we have demonstrated commitment, focus and drive to deliver a better future for Tasmania.

At the election we outlined our plan to secure Tasmania's future which will deliver the certainty Tasmania needs by:

- Making the decisions necessary to continue keeping Tasmanians safe and secure from COVID-19;
- Delivering a more diverse and resilient Tasmanian economy to create jobs and help protect against future challenges;
- Securing the essential services all Tasmanians rely on; and
- Ensuring young Tasmanians can get the training, apprenticeships and jobs for their future here in Tasmania.

Included in our plan were a range of commitments and policies. It is my expectation that those commitments and policies that fall under your Ministerial responsibilities will be delivered in full and on time. For many of these commitments and policies it will be essential that you work closely and constructively with other Ministers to deliver the best outcomes for Tasmanians and drive our response to, and recovery from, COVID-19 in the short and long-term.

Additionally, delivery of the interim and final recommendations from the Premier's Economic and Social Recovery Advisory Council (PESRAC) will be critical as we continue to recover from the impacts of the COVID-19 pandemic. You should work with your Departments, and the Department of Premier and Cabinet (DPAC) as the recovery agency, to deliver the recommendations relevant to your portfolio(s).

It is my expectation that all Ministers will enable their Heads of Agency to further strengthen working relationships and deliver outcomes across Agency lines, to ensure the Tasmanian State Service is united in purpose and vision and puts Tasmanians at the centre of everything it does. I have tasked the Secretary, DPAC, to write to all Heads of Agency providing them with a full list of Ministerial and Agency accountabilities with respect to our election commitments, the interim and final PESRAC recommendations and for the 2021 State of the State commitments to ensure there is absolute clarity in accountabilities. I advise that Heads of Agency performance agreements should be submitted to DPAC for my review by July 2021.

I will shortly be writing to you regarding a number of Premier's Priorities that will focus our collective attention over the course of this term. These priorities will include along with others, the areas of health, housing, skills and training and infrastructure delivery.

Portfolio Priorities

As an immediate priority in your portfolio area, along with the delivery of our election commitments, within the first six months of our term, I would like you to progress the Tasmanian Stadium Trust to oversee the development and management of major stadia across the State to maximise economic and community benefit for Tasmania.

Tasmania deserves to have its own Tasmanian teams in national competitions. The AFL has agreed with the Government's request for an independent review of the business case for our own team to take place immediately and this is now underway. The results of that review will be made available in the middle of this year and will provide us with the clarity we need to make the arrangements for AFL content in the coming 2022 season. I expect you to work in partnership with me as Premier and Tourism Minister to secure an AFL licence for Tasmania.

Governance and behavioural expectations

As a Government, we commit to uphold the highest standards of public office and to act honestly, professionally and with accountability in the performance of our duties. Serving our State as a member of our Cabinet is both a privilege and a responsibility.

The following draft documents were provided to you at the first Cabinet meeting of 19 May 2021 and are relevant to your Ministerial responsibilities. I urge you to familiarise yourself with the finalised documents and your obligations and responsibilities contained therein:

- Code of Conduct for Ministers;
- Code of Conduct for Ministers – Guidance Notes;
- Code of Conduct for Ministers – Receipt and Giving of Gifts Policy; and
- Tasmanian Government Lobbying Code of Conduct.

The *Parliamentary (Disclosure of Interests) Act 1996* requires that all persons who become a Member, lodge a return with the Clerk of the Legislative Council within three months after the day on which the Member took the oath of allegiance. I note you have submitted a primary return and ask that you ensure your annual return is submitted on, or before, 1 October 2021.

Additionally, as you are aware, the Code of Conduct for Ministers requires each Minister to disclose to me any actual, potential or perceived conflicts of interest between their personal interests and their official duties. I would be grateful for your urgent advice, via return of the enclosed declaration, to me in relation to this matter.

Congratulations again and I look forward to your continuing success as a Minister as we work to improve the lives of all Tasmanians and secure Tasmania's future.

Yours sincerely



Peter Gutwein MP
Premier

Attachments

Dear Premier

I, **Jane Howlett**, being Minister for Small Business, Minister for Women, Minister for Sport and Recreation and Minister for Racing, declare that I:

- Do** have potential and/or perceived and/or actual conflicts of interest between my personal interests and my ministerial responsibilities or duties as per attached statement
- Do not** have any potential and/or perceived and/or actual conflicts of interest between my personal interests and my ministerial responsibilities or duties

The Hon Jane Howlett, MLC

Date

Dear Premier

I, Jane Howlett, being Minister for Small Business, Minister for Women, Minister for Sport and Recreation and Minister for Racing, declare that I:

- Do have potential and/or perceived and/or actual conflicts of interest between my personal interests and my ministerial responsibilities or duties as per attached statement
- Do not have any potential and/or perceived and/or actual conflicts of interest between my personal interests and my ministerial responsibilities or duties



The Hon Jane Howlett, MLC

Date 4.6.2021

Cairney, Jenna

From: Killick, David <david.killick@news.com.au>
Sent: Friday, 11 February 2022 2:14 PM
To: Cairney, Jenna
Subject: Questions re Sports Minister

Hi there,

I had some questions, wasn't sure who was best, so I've gone straight to the top:

Has Sports Minister Jane Howlett informed the Premier of any matter which might create a conflict of interest relating to the JackJumpers?

Does Ms Howlett have any role in ensuring the government's sponsorship of the JackJumpers is continuing or is meeting KPIs?

Has the Premier put any measures in place to manage any conflicts of interest the minister might have?

regards,

David.

DAVID KILLICK
Senior Reporter



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Cairney, Jenna

From: Killick, David <david.killick@news.com.au>
Sent: Friday, 11 February 2022 6:41 PM
To: Cairney, Jenna
Subject: Re: Questions re Sports Minister

Thanks.

On Fri, 11 Feb 2022, 4:01 pm Cairney, Jenna, <Jenna.Cairney@dpac.tas.gov.au> wrote:

Hi David,

1. No
2. No
3. N/A

Thanks

From: Killick, David <david.killick@news.com.au>
Sent: Friday, 11 February 2022 2:14 PM
To: Cairney, Jenna <Jenna.Cairney@dpac.tas.gov.au>
Subject: Questions re Sports Minister

Hi there,

I had some questions, wasn't sure who was best, so I've gone straight to the top:

Has Sports Minister Jane Howlett informed the Premier of any matter which might create a conflict of interest relating to the JackJumpers?

Does Ms Howlett have any role in ensuring the government's sponsorship of the JackJumpers is continuing or is meeting KPIs?

Has the Premier put any measures in place to manage any conflicts of interest the minister might have?

regards,

5

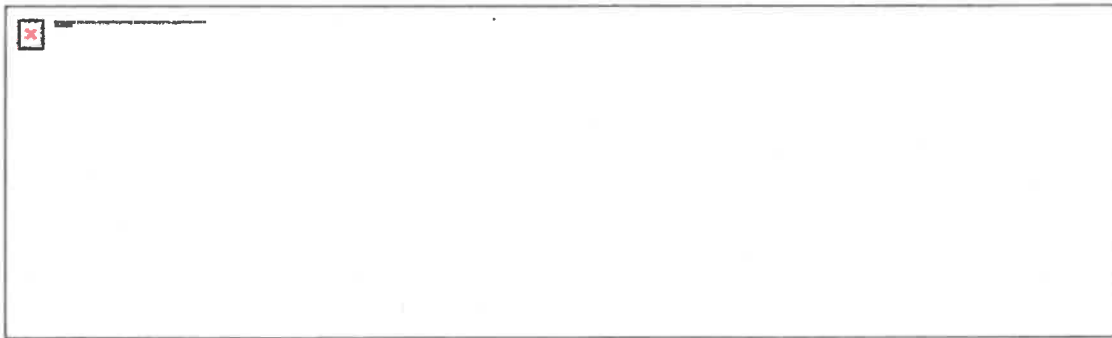
David.

DAVID KILLICK

Senior Reporter



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Dann, Trent

From: Killick, David <david.killick@news.com.au>
Sent: Thursday, 17 February 2022 12:45 PM
To: Dann, Trent
Subject: Questions re Minister Howlett.

Hi there,

As discussed, following on an issue touched upon in the press conference today, I had a couple of questions about Ms Howlett in her role as Minister for Sport and Recreation.

1. Is Ms Howlett involved in a personal relationship with the JackJumpers CEO Simon Brookhouse?
2. If so, how long has Ms Howlett been involved in that relationship? Is it ongoing?
3. If she was involved in such a relationship. How did Ms Howlett manage any conflicts of interest between her ministerial duties and that relationship?
. If she was involved in such a relationship, did Ms Howlett inform the Premier of her relationship with Mr Brookhouse
5. Did Ms Howlett request to be moved from the portfolio? If she was involved in a relationship with Mr Brookhouse, did her request to be moved from the portfolio have anything to do with the relationship?

I asked some questions about this last week. I have included them, and the response, below,

regards,

David.

DAVID KILICK
Senior Reporter

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Langtry, Lucy

From: Media
Sent: Thursday, 17 February 2022 3:27 PM
To: Ainsley Koch
Subject: RE: Jane Howlett

Hi Ainsley,

Question: Was Jane Howlett removed from the sport portfolio due to concerns about a potential conflict of interest while she was Minister for that portfolio?

Answer: No

Thanks

From: Ainsley Koch <Ainsley.Koch@sca.com.au>
Sent: Thursday, 17 February 2022 1:57 PM
To: Media <media@dpac.tas.gov.au>
Subject: Jane Howlett

Good afternoon,

Following the cabinet re-shuffle today, I am wondering if you can confirm if Jane Howlett was removed from the sport portfolio due to concerns about a potential conflict of interest while she was Minister for that portfolio?

Thanks

Ainsley

Ainsley Koch
Journalist

SCA
T 03-6281-7566 M **s.36**
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A Level 1, 2 Melville Street, Hobart, TAS, 7000
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From: Media
Sent: Tuesday, 8 March 2022 4:31 PM
To: Ainsley Koch; Media
Subject: RE: Jane Howlett

The Premier answered that in Question Time – he signed off on it on advice from State growth.

ANSWER Mr Speaker, I thank the Leader of the Opposition for that question. I will begin by acknowledging all women on International Women's Day. I know my newest minister, Ms Ogilvy, will ably be representing the Government today at a range of functions and I am sure she will do a very good job. Like many projects, at the moment we are finding that building costs have gone up - whether you are building a house or a stadium. That is simply an unfortunate fact of the times that we are in at the moment. I signed off on this project, on advice from State Growth. It then forms part of the Budget, which all members of this place have the opportunity to peruse and to ask questions about. Mr Kestelman has again made it perfectly clear today that the terms associated with the construction of MyState Arena - and I make this point again because it is an erroneous one that was made last week

Ms WHITE - Point of order, Mr Speaker. It goes to relevance - standing order 45. I ask you to direct the Premier to the question, which was whether that additional expenditure of \$15 million went through the Cabinet? Mr SPEAKER - I take the point of order. However, simply standing up on a point of order and reissuing the question is interjecting on the Premier. The Premier had only been contributing in his answer for less than a minute. I will hand back to the Premier and ask him to continue. UNCORRECTED PROOF 2 Tuesday 8 March 2022 Mr GUTWEIN - The point I have made is that I signed off on matters associated with the contracts for the development of MyState Arena, on advice from State Growth. Last week, erroneously, on that side of the House, you claimed that the JackJumpers somehow have been the benefit of \$100 million-worth of funding from the state Government. That demonstrates your lack of understanding of public finance. It also demonstrates your willingness to trash the brand of an organisation that is doing great things for this state, for junior basketball and in putting us on the national stage. We own the stadium. We paid Glenorchy City Council \$8 million for it. It sits on our balance sheet. It is not owned by the JackJumpers. I acknowledge that costs have gone up, but that asset will sit on the state's balance sheet for the next 100 years. Ms DOW - Point of order, Mr Speaker, standing order 45, relevance. The Premier has been on his feet for a significant period of time, and he has not answered the question. Mr GUTWEIN - Mr Speaker, I have answered the question that I signed off on advice from State Growth.

From: Ainsley Koch <Ainsley.Koch@sca.com.au>
Sent: Tuesday, 8 March 2022 4:18 PM
To: Media <media@dpac.tas.gov.au>
Subject: RE: Jane Howlett

Thanks but that doesn't answer my first question-

Has cabinet signed off on funding for the JackJumpers since September 27 2020, and if so, was Jane Howlett involved?

Ainsley Koch
Journalist

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From: Media <media@dpac.tas.gov.au>
Sent: Tuesday, 8 March 2022 3:59 PM
To: Ainsley Koch <Ainsley.Koch@sca.com.au>; Media <media@dpac.tas.gov.au>
Subject: RE: Jane Howlett

Hi Ainsley
As the Premier has clearly stated on a number of occasions there was no conflict of interest to be declared.
Thanks

From: Ainsley Koch <Ainsley.Koch@sca.com.au>
Sent: Tuesday, 8 March 2022 12:55 PM
To: Media <media@dpac.tas.gov.au>
Subject: FW: Jane Howlett

Hi again,

In addition to the below question:

Did Jane Howlett declare a conflict of interest during cabinet deliberations regarding any funding agreements for the Tasmania Jackjumpers?

A response by 5pm would be great

Thanks

Ainsley Koch
Journalist

SCA
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From: Ainsley Koch
Sent: Tuesday, 8 March 2022 9:54 AM

To: Tasmanian Government Media Office <media@dpac.tas.gov.au>
Subject: Jane Howlett

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Good morning,

I am wondering if cabinet signed off on funding for the JackJumpers since September 27 2020, and if so, was Jane Howlett involved in those agreements?

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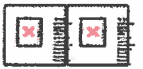
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Cairney, Jenna

From: Killick, David <david.killick@news.com.au>
Sent: Thursday, 17 February 2022 3:43 PM
To: Cairney, Jenna
Subject: Re: Your query

OK, thanks.

DAVID KILLICK
Senior Reporter



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On Thu, 17 Feb 2022 at 15:15, Cairney, Jenna <Jenna.Cairney@dpac.tas.gov.au> wrote:

Hi David,

No comment.

Thanks

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Langtry, Lucy

From: Langtry, Lucy
Sent: Friday, 18 February 2022 3:04 PM
To: Chris Rowbottom
Subject: RE: Jane Howlett Qs

Hey Chris,

See below the response to your questions.

Thanks,

Lucy Langtry

Media Adviser

Office of the Premier, the Hon Peter Gutwein MP

Level 11, 15 Murray Street HOBART TAS 7000

Phone: 0435236359

e-mail: lucy.langtry@dpac.tas.gov.au

www.premier.tas.gov.au



From: Chris Rowbottom <Rowbottom.Chris@abc.net.au>
Sent: Friday, 18 February 2022 2:54 PM
To: Langtry, Lucy <Lucy.Langtry@dpac.tas.gov.au>
Subject: Jane Howlett Qs

J'day Lucy, hope youre well. Hoping to get a response to the following if possible please.

Cheers
Chris

- Has the former Sports Minister Jane Howlett declared a relationship with the CEO of the Tasmanian Jack Jumpers? **No.**
- If so, was this relationship considered a breach of the ministerial code of conduct? **N/A.**
- Is the Premier satisfied appropriate steps were taken to manage or resolve a potential conflict of interest? **N/A**
- Given the former minister was described by the Premier as 'one of the best sports ministers the state has ever had' why was she stripped of the Sport and Recreation portfolio? **Refer you to the Premier's comments at the press conference yesterday.**

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