



NSW Police Force

**DEPUTY COMMISSIONER
Field Operations**

Ms Teresa McMichael
Director
Legislative Council
Parliament House
Macquarie Street
Sydney NSW 2000

27 August 2013

Dear Ms McMichael

I refer to your letter of 8 August 2013 following the appearance of Mr Aidan Hughes and myself before the Select Committee on the Agistment of Horses at Yaralla Estate on 5 August 2013.

Thank you for the opportunity to address the Inquiry and to review the transcript of evidence. Mr Hughes and I agree that the transcript is an accurate record of our appearance and we have no changes or corrections.

I have sought further advice from the NSW Mounted Police regarding the matters taken on notice at the Inquiry and responses are contained in the attachment.

The NSW Police Force notes that the tender process has now been withdrawn. Notwithstanding this, a number of the questions require 'Commercial in Confidence' information with the potential to prejudice the NSW Mounted Police and provide valuable information. While this current tender process will not proceed to conclusion, there will likely be future opportunities for the agistment of horses and the NSW Police Force does not wish to prejudice those. Accordingly, the information that the NSW Police Force believes is 'Commercial in Confidence' is highlighted in red.

Again, thank you for the opportunity to address the Inquiry. If I can be of further assistance please do not hesitate to contact my office.

N Kaldas APM
Deputy Commissioner Field Operations

27/8/13

Response to questions/matters on notice
Select Committee on the Agistment of Horses at Yaralla Estate
Monday 5 August 2013.

1. If you (NSWMP) were to have access to Yaralla, would you need to seek out private agistment areas above and beyond what was provided either by the Police internal resources and the land at Yaralla? – Page 3, The Hon. Dr Peter Phelps.

If the NSWMP had been successful it would have relinquished all other paddocks currently agisting horses and utilise Yaralla as the sole agistment property to consolidate its agistment and operating processes.

2. The breeds or types of horse that NSWMP owns - Page 4, The Hon Trevor Khan and The Hon Dr Peter Phelps.

The number and type of horses will vary over time, but is generally just over or under 30. As at June 2013 the NSWMP had 29 horses with the breakdown of breeds as follows:

Thoroughbred	12 (6 ex-racehorses)
Clydesdale Cross	9
Belgian cross	1
Percheron Cross	2
Holsteiner	1
Irish Sport Horse	1
Cleveland Bay	1
Shire	1
Australian Stock Horse	1

3. Horse management, paddock health and NSWMP expertise in the condition of paddocks – page 5, Mr Scot MacDonald.

As an organisation dealing with agistment over the last 187 years, the NSWMP has developed a significant level of experience and expertise among its staff members. This is complemented through the use of contractors in maintenance and pasture management (e.g. United Group Services and now Brookfield Johnson).

The human resources structure of NSWMP consists of 36 police officers, 9 grooms and 4 permanent Volunteers in Policing. The Unit also has a range of specialist equipment including 2 x 6 horse trucks; 3 x four wheel drives; 3 x floats, 1 x tractor, 1 x forklift; and a large range of other equipment and gear as resources.

A diverse skill set exists among these officers from standard operational policing duties, through paddock maintenance to equine related skills including stock mustering. With regard to the latter by way of example, the Mounted Police can assist stock squad police, RSPCA officers, and local government impounding officers in mustering stolen or emaciated stock, and are equipped to assist Local Police in recapturing runaway horses in the city and inner suburban areas.

The NSWMP currently agists horses at six separate locations. Over the past decade a further 10 locations have been used and subsequently rescinded for various reasons. While some paddocks offered to NSWMP for agistment have been rejected for not complying with the standards of NSWMP, of the 16 paddocks in total, there have been no additional security measure put in place other than the original risk assessment procedures applied to the paddock's functionality and suitability to agist NSWMP horses.

When selecting paddocks to agist horses the NSWMP considers a range of factors including:

- the height, type and construction of fencing;
- the availability of water to all paddocks and any external stables
- the extent of constructed or natural shelters
- the condition of paddocks including weeds and debris
- the ability to provide suitable supervision of horses
- whether paddocks are stand alone and/or require collocation

4. First approach by SLHD to NSWMP for DEWE – page 6, The Hon. Luke Foley

On or about Friday 11 January 2013, Inspector McFadden Commander of NSWMP received a phone call from Mr Ron Turner who stated he was calling to enquire whether NSWMP were currently scoping for agistment premises for their police horses. This was the first occasion that NSWMP or Inspector McFadden had any contact from either Blue Visions or Mr Turner.

During Mr Turner's introduction Inspector McFadden's understanding was that the telephone call was an informal approach to check upon the viability of NSWMP's interest in agistment premises firstly and secondly whether the DEWE premises were suitable. During the telephone conversation Mr Turner stated that he was calling on behalf of SLHD to gauge whether a formal approach should be made by SLHD or whether it was not a viable prospect for NSWMP.

Inspector McFadden stated that NSWMP may be interested in this lease though would not be in a position to advance the proposal further or formally without inspection of the agistment paddocks on the first hand and she would need to consult with the Police Properties Command. Inspector McFadden took details of the Director of Capital Asset and Contract Services of SLHD, Ms Deborah Flood for further information.

5. Representation from NSWMP and SLHD at the 18 January inspection of Yaralla – pp 6 & 7, The Hon. Luke Foley.

This meeting was attended by Ms Deborah Flood, Director of Capital Asset and Contract Services from Sydney Local Health District, Mr Ron Turner from Blue Visions and Inspector McFadden and Leading Senior Constable Rod Cillero from NSW Mounted Police. Superintendent Howlett from Police Properties was due to attend this meeting however was unable to attend at late notice.

6. Could you give us some detail on what exactly those safety procedures would entail? - Page 7 – The Hon Luke Foley.

This question has been partially addressed at Question 3. Further, there would also be a 'risk management' assessment for signage warning members of the public to not enter inside the fence lines of the paddocks. However, the NSWMP have no objections or issues with members of the public patting our horses from outside of the enclosed paddock.

NSWMP would however place stringent security and checking processes in place on any buildings, machinery or vehicles held on site which form part of the DEWE lease.

The NSWMP has a range of SOPs that have safety related elements to them as well as being subject to a range of NSW Police Force policies and SOPs. Further, risk management is also based on the equine expertise that has been developed within the NSWMP.

Accordingly, there is no one over-arching or all encompassing safety document that could be provided the Inquiry.

7. Has the NSWMP been approached by the SLHD or was it out of the blue? - Page 7 – The Hon Ernest Wong.

This has been answered at Question 4.

8. Do you have any knowledge of who sat across the table from your colleagues and negotiated the arrangement with NSWMP earlier this year? – page 8, The Hon Luke Foley

This has been answered at Question 4.

9. Does the NSWMP have a problem with police horses sharing paddocks with other horses? – page 10, The Hon. Luke Foley.

In general, and based on past experience, the NSWMP avoids situations where police horses will share paddocks with other horses. Shared agistment has occurred in the past at Tocal Agricultural College however, this has required significant risk management and care. Tocal has large open areas with natural protection that allows horses to retreat safely when another horse becomes flighty or aggressive. Further, at Tocal horses are agisted in small numbers and are also de-shod. However, and despite these and several other strategies being employed, the shared agistment at Tocal still results in an increased number of injuries.

There are also a range of health management factors that strongly mitigate against paddock sharing. The NSWMP maintains a stringent vaccination regime that is not often matched by recreational owners. Some diseases addressed within that regime can be fatal while others can render a horse unable to be worked for months at a time.

Accordingly, shared agistment is a highly undesirable option.

10. The timing, form and person making the initial approach from SLHD – page 12, Dr John Kaye.

This has been answered at Question 4. See also question 13.

11. Did SLHD alert NSWMP to the fact that horses play some possibly passive role convalescence? - page 12, Dr John Kaye

SLHD had discussions with NSWMP regarding interactions with patients and members of the greater community including the Concord Historical Society. Inspector McFadden also supplied information in the discussions that NSWMP horses are arguably better able than other horses to interact with members of the public due to their training and the nature of their role and frequent interaction with a wide range of people. NSWMP also stated they were in a position to risk manage the interaction of horses with any member of the public over other horses such as recreational horses.

Inspector McFadden also recalls SLHD Ms Deborah Flood asking about interaction of the NSWMP being in a capacity to have the horses assist with visits at DEWE and how NSWMP would manage this. Inspector McFadden provided advice during these discussions of the NSWMP's current capacity in holding regular tours (twice weekly) and a yearly Open Days towards forging greater relations with the Concord Community and the Concord Hospital. NSWMP provided informal advice that the horses and Unit regularly have community

interaction with these groups including schools, community groups, hospitals and retirement villages.

12. Number of horses NSWMP envisages having on site at Yaralla – page 12, Dr John Kaye

Under the terms of the current tender, a maximum of 20 horses would be agisted at any one time upon DEWE. The number of NSWMP horses rotated through agistment can fluctuate according to operational commitments; seasonal issues; training schedules of horses; rehabilitation of sick or injured horses; and the paddock maintenance measures in place at the agistment paddocks. At present NSWMP agistment ranges between 14 and 20 horses.

13. Exclusive use of the premises - page 13, The Hon Robert Borsak

The NSWMP is not agreeable to cohabitation of the agistment paddocks with other horses. No issues arise with sharing of the property with SLHD patients and members of the community, though the cohabitation between horses presents a multitude of risks to NSWMP horses, personnel and any other horses on the property with respect to a number of areas including:

- health management of NSWMP horses
- insurances – horses, and property and personal
- paddock maintenance and accessibility
- fodder, equipment and chemical storage
- loading and unloading of horses
- security and parking of motor vehicles.

The range of factors against collocation between NSWMP and other agisters is supported by an independent report drafted on 13 May 2013 by Tierney Page Kirkland (TPK) who engaged independent experts on the risk assessment panel including experts in horse behaviour and management. While the NSWMP has not been provided with a copy of the TPK report, a small portion of the report in relation to collocation of NSWMP and other agisters was discussed both verbally and some parts displayed in a PowerPoint presentation visually at a meeting on 15 May attended by SLHD, Blue Visions, 'Yaralla Agisters', Mr John Sidoti, Mr Angelo Tsirekas and NSWPF.

NSWMP is a professional government organisation with over 187 years of proven and reliable experience in horse and stable management. The NSWMP has identified risks in collocation that would impact upon operational procedures, health and welfare of NSWMP horses and pose great safety and risk management problems.

14. If only a partial lease was available, would the NSWMP still be interested? – page 14, The Hon. Dr Peter Phelps.

See responses above, particularly questions 9 and 13.

The NSWMP entered into discussions around DEWE based on an exclusive lease. If the only option was a partial lease, the NSWMP would need to carefully assess the option to determine whether it would be viable. However, and based on external advice, equine

expertise and previous experience, it is not considered likely that a partial lease would be viable for the NSWMP.

15. Was the public foreshore area, which is not a public road, so there is no illusion, to be included in the anticipated lease? – page 14, The Hon Trevor Khan

No, the public foreshore area was not included in the lease, only the paddocks within the current fence line.

16. Star picket fences – page 14, Dr John Kaye

Horse industry experts and horse management principles suggest star picketing as a last resort. The NSWMP position is that star picket fences present a high risk of injury to horses and would request that SLHD remove them.

Upon inspection of the DEWE property on 18 January 2013 Inspector McFadden walked across several star picket fences that had been sheared off with 5 - 10 centimetres protruding from the ground, which could have caused severe injury to horses. Observations were also made of star pickets that were bent over from horses pushing against them; sagging wires between fences and movement of star pickets within the ground was highly visible in a number of areas.

This is one of the factors that the NSWMP includes in its risk assessment of all current NSWMP spelling locations.