

EQUINE INFLUENZA INQUIRY

SUPPLEMENTARY SUBMISSIONS ON BEHALF OF THE STATE OF NEW SOUTH WALES

1. On the last day of the public hearing of the Inquiry (3 April 2008) and following the closing address of its Counsel on the previous day, Coolmore sought to agitate a further recommendation in terms to the following effect:

That a particular cohort or subset of horses – being thoroughbred horses, equestrian event horses, polo horses and other horses in the Australian horse population who intermingle and commingle – should continue to be vaccinated against equine influenza.

Coolmore considered that “the detail could be discussed and debated, no doubt”.¹

2. It was not suggested by Coolmore that the issue of the resumption of vaccination for a particular group of horses in the general Australian horse population following successful eradication of equine influenza (EI) in Australia has been the subject of any evidence before the Inquiry. To the contrary, the absence of evidence relating to the issue was expressly acknowledged by Coolmore in the following terms:

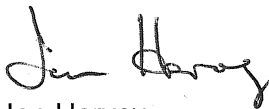
“Indeed, insofar as Coolmore is concerned - obviously there is no evidence of it - our view and the view of those people in the industry in Australia that we talk to is that there is a general view amongst breeders and the like that continuing vaccination of relevant groups of animals is desirable and, indeed, necessary as part of the attempt **to ensure that this doesn't happen again**”.² (emphasis added)

3. The State of New South Wales opposes the request by Coolmore that a recommendation in the terms proposed be considered for inclusion in the report of the Commissioner to the Commonwealth Minister for Agriculture, Fisheries and Forestry.
4. The recommendation is misplaced and misconceived. It does not relate to either of the substantive terms of reference of the Inquiry; in particular, it is not directed to the need for strengthening “biosecurity procedures for *quarantine management* of imported horses”. It is, at best, directed to the management of local horses upon an assumption that biosecurity measures for quarantine management of imported horses will continue to be deficient. It will not, contrary to Coolmore’s submission, “ensure” that EI is not introduced to Australia again. Moreover, it does not arise as an “incidental” matter that has been the subject of inquiry on the basis that it might assist the Minister in considering the Commissioner’s report.

¹ Transcript p 4522

² Ibid, pp 4523/4

5. A recommendation in the terms proposed will not serve to restore public confidence in the quarantine system; viewed by the Commissioner as "critically important".³ The thousands of Australian domestic horse owners would be rightly concerned that a recommendation in such terms would constitute a clear signal that Australia's quarantine system is so fatally and irremediably defective that no confidence could be reposed in either the Commonwealth authorities responsible for quarantine management to implement rigorous quarantine measures to exclude exotic diseases such as EI or in the importers of horses to comply with such measures in any event.
6. The State of New South Wales does not consider it necessary to accept Coolmore's invitation to discuss and debate the "detail" of the implications of its proposal at this stage of the Inquiry. However, to the extent that the submission properly invites such a discussion the State of New South Wales agrees generally with the submissions provided to the Commissioner by the State of Queensland (**SUBS.QLD.002.0001**) and with the submission of the Australian Horse Industry Council Inc. that any recommendations or decisions about the vaccination of Australian horses against EI should be left to those who have the direct statutory responsibility to make such decisions (**SUBS.AHIC.003.0001**, para 1.17).



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³ Ibid p 4427, p 4565