

I understand that the Productivity Commission's current enquiry into regulation in the Australian agricultural sector is concerned with farm safety.

I am a spokesperson for Equestrian Australia, which has made a submission to the NSW Workcover draft Horse Safety Code of Practice.

EA is a strong supporter of the ceaseless integration of the four step risk management process in Australian Standard AS/NZS ISO 31000:2009 into all horse interactions.

EA believes that the role of Government, and anyone else interested in horse safety, is to educate and encourage horse handlers to ALWAYS integrate that process into all and every horse interaction.

The draft Code is based on the Standard but it is not simple. The Draft Code is complex (nearly 30 pages) legalistic and very difficult to understand.

EA gives reasons in its submission why the helpful hints on how horse owners can write an exhaustive manual of safe horsemanship and apply it cannot be achieved in practice.

These “suggestions” will therefore not advance safety in horse handling in any significant way.

The Code will be ineffective.

Furthermore, the draft Code is unfair.

There is an obtuse reminder in the "Forward” that if there is a horse interaction injury, Workcover can tender the Code and call (expert) evidence to prove that there was no safe place of work because the employer did not follow the Code.

Since the Code is only a series of so-called suggestions and as there is always more than one proper detailed way to handle a horse, some expert will say, after the event, other detailed steps would have avoided the injury.

Therefore, in practical terms, a criminal conviction (and fines of +\$1m.) will always be available to Workcover in the case of a horse related injury - accident or not.

EA has taken appropriate legal advice on this aspect and gives reasons in its submission why the threat of criminal prosecution is unlikely to advance horse safety.

EA's Submission and suggested Safety Alert are attached.

I hope this assists your enquiry,

Stephen Austin.