

## **Spirit of Tasmania ferry operator and ex-polo captain both convicted and fined following 2018 polo pony deaths**

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The operator of the Spirit of Tasmania ferries was fined \$75,000. (*Facebook: Spirit of Tasmania*)

After more than half a decade, a Tasmanian ferry operator and a former Australian polo captain have been ordered to pay thousands of dollars in fines in relation to the deaths of 16 polo ponies.

Sixteen of the 18 polo ponies were found dead in the converted refrigeration trailer they were travelling in, after the Spirit of Tasmania ferry docked in Melbourne in January 2018.

The ponies had been in Tasmania's north competing in a polo event at Barnbougle.

### **Key points:**

- The magistrate said ferry operator TT-Line was strictly liable for checking on the welfare of the ponies and "it simply did nothing to comply with that requirement"

Polo captain Andrew Williams pleaded guilty to 17 counts of breaching the animal welfare act in July 2022.

The case against Williams ran alongside but separate from the case against ferry operator TT-Line, which was found to have breached animal welfare laws in October last year.

- Sixteen out of 18 ponies died while being transported on the Spirit of Tasmania ferry in January 2018
- TT-Line was fined \$75,000, while former Australian polo captain Andrew Williams was fined \$15,000 for his part

In the Burnie Magistrates Court, Magistrate Leanne Topfer ordered TT-Line to pay a \$75,000 fine, while Williams was fined \$15,000.

Convictions were recorded on all charges against both parties.



What happened on board the Spirit of Tasmania — the polo ponies death case explained

In handing down the long-awaited sentences, Magistrate Topfer told the court TT-Line was strictly liable for checking on the welfare of the ponies and "it simply did nothing to comply with that requirement".

Lawyers for the company had argued against a conviction being recorded, saying it would "plainly affect TT-Line's reputation".

"I give little weight to these submissions," Magistrate Topfer told the court.

"As the effect on the horses was so profound, I consider it appropriate to record convictions."

She also said the significant legal expense of successive appeals would have cost the taxpayer, saying as a government-funded company, its only two stakeholders were the state treasurer and the state infrastructure minister.

## **Williams 'failed in his duty'**



One of two Willo Polo trucks carrying ponies drives onto the Spirit Of Tasmania in 2018.

*(Instagram: chelcroz)*

Magistrate Topfer looked favourably upon Williams's early guilty plea, saying it showed "real utility" and noted the lengthy delays in the case were not his doing.

However, she found the trailer the 49-year-old was using to transport the ponies had "inadequate size, allocation and placement of ventilation".



One of two Willo Polo trucks carrying ponies onboard the Spirit Of Tasmania in 2018.

*(Instagram: chelcroz)*

Magistrate Topfer also told the court Williams failed to check on the horses for an hour after disembarking.

"You failed in your duty to those horses," she said.

She accepted that Williams was remorseful and "devastated" over the incident — his first animal welfare offence in an otherwise "excellent" record, having worked with horses all his life.

The animals were involved in a competition at Barnbougles Polo, near Bridport, in 2018.

*(Facebook: Barnbougles Polo)*

## **Sentencing delayed multiple times**

This is the third time the matter has been listed for sentence, as the case itself drags into its fifth year.

Magistrate Topfer did not proceed to sentence at the start of February as planned because a significant issue had arisen from a report provided by Mr Williams's lawyers.

The court heard the report, from a veterinary surgeon with more than 40 years' experience, stated the truck's ramp should have been lowered to allow for greater ventilation.

Magistrate Topfer told the court she could not sentence Williams and TT-Line on separate sets of facts, so she would not sentence either until all parties had fully considered the report.

Another appearance in mid-February also did not proceed to sentence.

## **Court action not over**

The two long-running cases have now splintered off into further court action, with TT-Line lodging an appeal against the guilty finding in the Supreme Court of Tasmania before being sentenced for it.

Williams, meanwhile, has launched a civil action against TT-Line in the Supreme Court of Victoria.

In the wake of the finding, the company implemented a snap livestock transportation ban, leaving many in the lurch in the lead-up to the Melbourne Cup.

The Tasmanian government-owned ferry operator's most recent annual report shows it spent almost a million dollars on legal advice last financial year, much of it with a Victorian firm for legal representation and contract negotiations.

Polo identity Andrew Williams is facing similar charges to TT-Line. *(Facebook: Willo Polo)*


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