

**The Self Help Group for Farmers, Pet Owners and Others experiencing
difficulties with the RSPCA (The SHG)**

Press Release

For Immediate Release
28th January 2008

**YET ANOTHER JUDGE VILIFIES THE RSPCA ...
YET ANOTHER 'CRUELTY' CASE COLLAPSES**

RSPCA v MARTIN GRIFFIN & GINA GRIFFIN

Hot on the heels of the severe criticism of the RSPCA's Prosecution Department last month by:

- 1) Judge Gray in Harwich (RSPCA v *Name Withheld* ** (primary school teacher) – see earlier release); and
- 2) Portsmouth Magistrates (RSPCA v *Name Withheld* ** (kennel maid) – see earlier release)

comes the damning judgment in Norwich, on the afternoon of 23 January 2008, of Judge Philip Browning. It concerned Martin and Gina's 24 year old laminitic horse Florrie, which had been a family pet for two decades.

The case, as usual for the RSPCA, was a private prosecution for 'cruelty':

- 1) accompanied by the RSPCA's traditional PR techniques, and spinning to local and national media;
- 2) presented to the court over a number of days, at great expense (to both the taxpayer and the RSPCA's hapless subscribers) and inconvenience to other court-users;
- 3) brought by the RSPCA's unaccountable Prosecutions Department, led by barrister Sally Case, against defendants (in this case a council worker and a salesperson) of impeccable character; and
- 4) where the Defendants own vet - with whom the RSPCA 'expert' disagreed – was advising them.

The RSPCA's 'expert' in this case was Nic de Brauwere. Rather worryingly for the RSPCA, in the light of the court's findings against it, Mr de Brauwere is the vet in the RSPCA's recent high-profile seizures in Amersham. Mr de Brauwere is in charge of welfare at 'Redwings', the rescue centre which the RSPCA pays to stable many of its 'rescued' horses. The Griffins vainly tried to tell de Brauwere that they knew the horse was thin and that they had to keep its weight down to avoid an acute recurrence of the long-standing laminitis. This is not only good equine practice – it followed the excellent advice obtained from their horse's vet, Charlotte Mayers, who knew all about the horse, but with whom it seems that de Brauwere disagreed.

So, the RSPCA's 'Inspector' John Jenkins and Mr de Brauwere thought they knew better than the Griffins' own vet. The horse was seized from the Griffins' field where all the other animals, everyone agreed, were in superb condition. Three 'cruelty' charges eventually emerged. The animal was taken to a "place of safety" - de Brauwere's facility - and his clients, the RSPCA, blindly pressed on with its case. They were undeterred by the report of Colin Vogel, the country's pre-eminent equine specialist (who incidentally writes the RSPCA's own "Horse-Care Manual"). Mr Vogel was called as an expert by the defence.

Judge Philip Browning, who is not known as a firebrand, made the following findings:

- (1) “Mr Vogel is a pre-eminent authority on horses who heard the evidence in the case. In his opinion, the horse was not suffering; he said that he had heard no evidence that the horse could not eat, no evidence that it was hungry and he said that he had heard reasonable evidence that there was a reason to keep the animal thin.”
- (2) “***It seems pretty clear that Inspector Jenkins had made his mind up*** [to seize the animal] and that he was unlikely to have agreed that the horse could be treated as offered by Miss Mayers, ***a course which would, in my opinion have avoided all of this***”
- (3) “Mr de Brauwere was not minded to discuss alternative causes of the thinness with Mrs Griffin and agreed that Mrs Griffin was offering other causes - he did, to use his words, ***not want to enter a long debate and did walk away at one point.***”
- (4) “***I go further than saying that there is doubt - I find that the horse was not suffering at all at the time it was seized. I do not need to go on to consider causing or permitting, but I will say that nothing I have heard in this case casts any criticism of Mr and Mrs Griffin.***”
- (5) “I fully understand the reaction of Mrs Griffin in a situation where she is faced with the sudden removal of Florrie, a much loved virtual member of the family.”
- (6) “Mr de Brauwere was challenged in a number of respects by Miss Mayers and Mr Stanley as well as by the Griffins themselves. On the 2nd October, other than being thin, agreed by everyone, the horse was apparently healthy, alert and happy as far as one can judge these things. It is significant that the other horses were in good condition ... ***I cannot accept the inferences I am asked to draw by the prosecution from the thinness of the horse and state of her teeth.*** I consider that she was able to eat and although she appeared to be getting thinner, her demeanour and general condition on the 2nd October ***at the very least would create strong reservations about whether she was suffering. There is no explicit evidence to that effect.***”
- (7) “I recognise the emotional aspect of this case and the feelings of the whole family on her removal. For reasons which will become apparent, ***I am of the view that this case could have been dealt with in a better way, and certainly more sympathetically by Inspector Jenkins and the RSPCA.***”

The SHG speculates that the RSPCA might have brought the case to highlight the 10th anniversary of the damning report from BEVA (the British Equine Veterinary Association). BEVA’s concerns – one of many criticisms by specialist vets. Is it possible that Sally Case, the Barrister in charge of the RSPCA’s Prosecutions Department, and her team of highly-paid support staff and “out-house” lawyers, wanted to emphasise the correctness of BEVA’s report?

- 1) “*Some BEVA Council Members have voiced concern that the Society has appeared to prosecute cases more in order to generate publicity and gain ‘scalps’ than out of genuine concern for equine welfare.*”
- 2) “*In most cases, equine welfare cases do not present as an emergency; the cases usually involve [alleged] neglect or malnutrition, which is by nature not acute ... Recent cases have highlighted the failure of some vets to perform full, or competent examinations, which are necessary to support the decision to seize animals, or prosecute owners.*”

Ten years ago, the BEVA report was hastened by specialist equine vets who were concerned that the RSPCA was damaging the profession. The criticisms in RSPCA v Humphries are quite well summarised by BEVA, and every one of these points could be made of the RSPCA again today. The RSPCA has learned nothing in ten years, other than better ways of causing expense, distress and misery for ordinary decent people, like the Griffins, who look after animals properly. It has also “generated publicity” recently!

The Self-Help Group (“SHG”) was formed to, and does, help people like the Grffins. SHG’s Anne Kasic said:

“Like BEVA ten years ago, the public have had enough. The Griffins’ case shows the RSPCA does not want to learn a thing from BEVA. It wants money to keep its leviathan prosecutions running. The public, and the judiciary, are turning their backs on an RSPCA which is increasingly desperate to justify and promote its sinister and unattractive agenda. It is not just the RSPCA’s most obvious victims - like the Griffins, the people in the Harwich and Portsmouth cases, and the many others referred to on SHG’s website <http://the-shg.org/> - who see the RSPCA for what it is.”

Ernest Vine, also from the SHG said:

“The reporting of the recent cases shows that even the media now recognise the public don’t like the RSPCA’s animal rights ‘take and spin’ approach. The actual results, and serious consequences, of the RSPCA’s ridiculous cases have been escaping into the public domain. The truth sells papers better than printing the RSPCA’s press releases, which furiously spin against honest and decent defendants like the Griffins. The RSPCA want more donations from people to run more cases like this. We want to save the RSPCA from animal rights extremists and its own lawyers, who are regularly paid ten times more than defence teams. I sincerely hope the result of the Griffins’ case will be reported with the same alacrity and prominence that the RSPCA’s preposterous allegations against them were given. Long may judges like Gray and Browning, and brave magistrates, like those in Portsmouth, continue to hear the cases fairly, objectively and also without fear.”

Name Withheld ** Names removed to protect individuals who have been the subject of animal rights harassment. Can be supplied but only to bona fide journalists.

Notes to Editors: -

References

Full details of the cases referred to can be found in the following articles

Pair cleared of horse cruelty

<http://www.eveningnews24.co.uk/content/News/story.aspx?brand=ENOnline&category=News&tBrand=enonline&tCategory=news&itemid=NOED23%20Jan%202008%2016%3A33%3A20%3A643>

or

<http://tinyurl.com/23tgq7>

BEVA Report

<http://cheetah.webtribe.net/~animadverson/bevastatement.htm>

YOUNG KENNEL MAID ACQUITTED - RSPCA CRITICISED AGAIN AS YET ANOTHER “CRUELTY” CASE COLLAPSES

<http://the-shg.org/kennel%20maid%20acquitted.html>

RSPCA CRITICISED AGAIN AS YET ANOTHER “CRUELTY” CASE COLLAPSES

<http://the-shg.org/RSPCA%20criticised%20again.html>

Trio cleared by court in dog cruelty case

<http://www.portsmouth.co.uk/fareham-and-meon/Trio-cleared-by-court-in.3540766.jp>

The Attorney General v The Royal Society for the Prevention of Cruelty to Animals

<http://cheetah.webtribe.net/~animadversion/The%20Attorney%20General%20v%20The%20Rspca.htm>

For further comment please contact Anne Kasica on 01559 371031 or Ernest Vine on 01559 370566. Mobile 07719 367148. e-mail: shg@the-shg.org

The SHG was officially formed in June 1990 and has been helping people to defend themselves and their animals from the RSPCA ever since. The national help line number is **08700 72 66 89**

A copy of this and previous press releases from The SHG are online at

<http://www.the-shg.org/SHGPressReleases.htm>

Background information on the Self Help Group for Farmers Pet Owners and Other Experiencing Difficulties with the RSPCA can be found at <http://www.the-shg.org>

Details of further criticisms of the RSPCA can be found at the RSPCA-Animadversion website:

<http://cheetah.webtribe.net/~animadversion>

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