

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

**Press Release**

For Immediate Release

7th April 2008

**EQUINE LAWYERS HAIL AN HISTORIC VICTORY AGAINST RSPCA**

**ALL SPINDLES FARM “RESCUE” HORSES TO BE RETURNED OR SOLD**

The action for the return of his horses brought by James (“Jamie”) Gray against the RSPCA has taken a dramatic turn.

All twenty nine donkeys and Shetland ponies which the RSPCA seized must be returned to the Grays, as the court ordered, “forthwith”.

The remaining ninety-six animals, including some valuable thoroughbreds, will, as Mr Gray’s lawyers requested, be sold at auction.

Commenting on the court’s findings, Anne Kasica of the SHG said:

*“Despite the case having been made a “cause celebre” by the RSPCA’s Head of Media, Henry Macaulay, the RSPCA faces yet another public relations disaster following Judge Sandeep Kainth’s ruling on Friday in Oxford.”*

*“This is an enormously positive ruling. It shows that the RSPCA’s whole approach to welfare cases is wrong - it will not accept advice from independent vets, for fear that they might say something it doesn’t want to hear.”*

*“The RSPCA prefers to take its aggressive courses of action, no matter how unreasonable and wasteful they might be, just as long as they increase the pressure on defendants.”*

*“Let us hope that this result will force the RSPCA to reconsider its belligerent approach to cruelty cases.”*

Referring to the claim by Kirsty Hampton of the RSPCA that they had intended to ‘seek new owners’ for these horses before trial, Ms. Kasica went on to say:

*“This is laughable. The RSPCA only “seek new owners” when they have a court order for confiscation following a successful criminal prosecution - so they can ‘rehome’ expensive animals with ‘acceptable’ people for a substantial ‘donation’ and then try to recover huge boarding costs from the defendants.”*

*“As a result of the RSPCA’s refusal to deliver up any of Mr. Gray’s animals the RSPCA faces another huge costs bill from its own lawyers – a specialist firm instructed privately to present the RSPCA’s case.”*

“And yet the RSPCA accepted that all of the donkeys and ponies which have been ordered back were in "good condition" and claimed that they were seized, not because of their condition, but because of "concerns about Mr Gray and his family".”

“As to the remainder, there was, the judge rightly ruled, “no evidence to show they were in any danger" and that a sale at auction was a respectable, and traditional, way for horses to change ownership.”

“The idea of a sale in this case never arose until Mr Gray’s application, and then the RSPCA resisted it. The RSPCA’s idea was to ensure that Mr Gray never got any money for his investment in the horses, and that he should face a massive costs bill.”

“Kirsty Hampton is well-known to us. She has been involved in considerable controversy and was responsible for making serious and untrue allegations of cruelty against Mr and Mrs David Burden.”

“In their case, the RSPCA organised a meeting of witnesses, at which the RSPCA ghosted a report which was later claimed to have been written by an ‘independent expert’ in sheep. Ms Hampton was present at that meeting, and her case against the sheep farmers was thrown out.”

Ernest Vine, also of the SHG, said:

*“There are countless defendants who are experiencing massive high-profile seizures by the RSPCA, who are very aggressive and threaten massive costs orders against them, whilst engaging in a huge media campaign to increase the pressure still further.”*

*“For those still awaiting a private prosecution for cruelty by the RSPCA, which usually takes six months to emerge, this must be very heartening news.”*

*“Only this week David and Margaret Heading have had over a hundred cattle seized from them by the RSPCA from East Farm in Thetford.”*

*“Their animals were transported to ‘a place of safety’ by the RSPCA and I understand that, as with Jamie Gray’s case, the RSPCA have not yet suggested their sale.”*

Mr. Vine concluded:

*“The court in Mr. Grey’s case may have been persuaded to make the order by the fact that the RSPCA claimed to have spent an incredible £153,000 boarding his animals so far.”*

*“Evidence given during the hearing by independent equine specialist vet John Parker contrasted starkly with the RSPCA’s highly prejudicial press-releases.”*

*“Mr. Parker stated that none of the horses, donkeys and ponies had been "caused unnecessary suffering”, although some animals had arrived at Mr Gray’s farm “from a semi-feral origin”. He found the bedding and general condition of the farm to be of an "extremely good quality." And when asked if he believed any animals would be at risk of cruelty if they were returned, Mr Parker simply said "No".”*

*“The RSPCA is now under severe pressure to withdraw its private prosecution against the Grays who face allegations of animal cruelty. They are due before Oxford Magistrates on 28 April 2008.”*

The RSPCA is believed to be considering an appeal against Judge Kainth's ruling.

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## **Notes to Editors: -**

1. The result is another landmark victory for Jacqui Fulton, of Blythe Liggins, who has represented Mr Gray and his family throughout
2. The RSPCA spends 44% of its annual income of over £100,000,000 (one hundred million pounds) on its prosecutions department.
3. In the light of Judge Kainth's findings, the RSPCA, which claims to apply the Code for Crown Prosecutors, will have to satisfy Sally Case, Head of Prosecutions, that it has considered whether each of the allegations stands "a reasonable prospect of success" and is "in the public interest".
4. The RSPCA is a private body so there is no mechanism to challenge the decision which Ms Case reaches.
5. Mr. Gray's animals had been placed with organisations such as the International League for the Protection of Horses (ILPH) and Redwings, with whom the RSPCA has a special relationship and with whom it worked on the raids which it conducted against Mr Gray.
6. Many of Mr Gray's animals were seized on advice from "independent expert" Nic de Brauwere, who is Head of Welfare at Redwings. Mr de Brauwere claims to have been on hundreds of "unannounced visits" with the RSPCA. He was severely criticised by District Judge Philip Browning, when the RSPCA's private prosecution against Gina and Martin Griffin was thrown out in Norwich.
7. Launching the RSPCA's usual attack on judges who have found against them, Kirsty Hampton, who was responsible for the raids, said:

*"The decision to return the horses to the Grays is devastating. We had hoped that the court would ask us to seek new owners for them who were guaranteed to provide for their future welfare. An open sale to an unknown bidder means that we cannot be sure of the level of future care they will receive."*

## **Useful Contacts:**

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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>

## **References:**

### [Rescued ponies ordered to be returned to family](#)

BBC News, UK - 15 hours ago

James Gray, 44, Julie Gray, 40, Cordelia Gray, 19, and Jodie Gray, 25, all of Spindle Farm, deny 12 charges. Deputy District Judge Sandeep Kainth agreed to ...

### [Judge orders immediate return of donkeys and ponies](#)

Buckinghamshire Free Press, UK - 18 hours ago

The farm's owner, James Gray, had made a formal application to have the animals returned. But the judge also ruled that around 80 horses that were removed ...

### [Only eight horses seized by RSPCA were at risk](#)

Buckinghamshire Free Press, UK - 21 hours ago

By Andy Carswell A vet who examined more than one hundred horses seized from a farm, has told a court he believed only eight were at risk. ...

[all 12 news articles »](#)

### [Five accused over cruelty](#)

The Sun, UK - 17 Mar 2008

They are alleged to have caused unnecessary suffering to 125 horses, ponies and donkeys. They will appear at Oxford Magistrates' Court on March 27. ...

### [Spindles Farm horses have not been returned says RSPCA](#)

7 Feb 2008 ... The RSPCA has quashed rumours that 20 horses have been returned to Jamie ... no information to suggest that we are giving, are going to give or have given any horses in this case back to either Jamie Gray or his family," said an RSPCA spokesman ...  
[www.horseandhound.co.uk/news/article.php?aid=178476](http://www.horseandhound.co.uk/news/article.php?aid=178476)

[RSPCA rescue 100 cows near Thetford](#)

Norfolk Eastern Daily Press, UK - 31 Mar 2008

A major animal rescue operation is under way following concerns about the welfare of a herd of cattle on the Norfolk-Suffolk border. The RSPCA today ...

[Victims of RSPCA bite back - Telegraph](#)

2 Mar 2008 ... Victims of RSPCA bite back ... Florry, which had been with Martin and Gina Griffin's family for 20 years. The RSPCA ...

[www.telegraph.co.uk/opinion/main.jhtml?xml=/opinion/2008/03/02/do0202.xml](http://www.telegraph.co.uk/opinion/main.jhtml?xml=/opinion/2008/03/02/do0202.xml)