

Press release from St Francis Animal Sanctuary rebutting the claims made by Gavin Grant of the RSPCA in relation to the content of the BBC Face the Facts radio programme. The Brimleys can be contacted for further comment on 07880 550716.

PRESS RELEASE

ST FRANCIS ANIMAL SANCTUARY, POTTERS BAR

For immediate release 13th August 2013

Response by St Francis Animal Sanctuary rebutting the claims of Gavin Grant, RSPCA Chief Executive, on 8th August 2013 during BBC Radio 4's the "Face the Facts", and subsequently by Mr Grant and the RSPCA in a further Press Release.

① **The conditions.** The conditions in which the animals were kept were not appalling and were not and could not be so described by anyone, other than being now so described by the RSPCA. They were not ever so described at the time or since by Mr & Mrs Brimley's own Vet., or even by the RSPCA's Inspectors in their routine visits to the land prior to July 2010. On 21st June 2010 RSPCA Inspector Mr W. Rippon [N^o. 972, East Region] issued an "AWA 092913" Notice that plainly says that the animals *are* contained within a suitable environment and that the environment *is* clean. It does not appear that when applying for the Warrant the RSPCA took any steps to ensure that the Hatfield Police made this clear to the District Judge. Nothing happened to the site in the three weeks between 21st June 2010 and 13th July 2010 to alter this assessment. Furthermore, during those three weeks a senior Vet. from the Royal Veterinary College at Brookman's Park (Mr Jason Tupper, M.A., Vet. M.B., Cert. EP, MRCVS. Head of Equine Practice – with whom the RSPCA was in communication at the time) came to the site after 21st June 2010 and before 13th July 2010 to treat the ponies and to give advice on worming, teeth treatment, diet, and blood tests, and did not at all suggest that the conditions

in which the ponies were kept were unsuitable. Had Mr Tupper thought the conditions were “appalling” he would have said so. At no stage did Mr Tupper ever suggest that our ponies or any other animals were being kept unsuitably.

On 13th July 2010 while the raid was progressing (the operation took a whole day) careful enquiry was made on our behalf of the RSPCA’s own Vet. whom the RSPCA brought to the site, who gave assurances that no animal was actually suffering – the sole purpose of the raid was to forestall the possibility of animals suffering in the future if conditions did not change. There was in his mind one possible exception to this – he thought that the three Soay Sheep we had *might* have been undernourished, although behaviourally they gave no sign of this at all, and did not look undernourished. They were in fact *underweight* – which is a different thing ; and the reason for that was that their diet had been altered.

No Vet. on the scene on 13th July 2010 said to us : “In my personal opinion these animals had been neglected and were suffering”.

② **“Working with the Sanctuary as much as we could over many years”.**

This is quite untrue. The site had routine visits from the RSPCA going back some 20 or 30 years. Never was it suggested in all that time that the RSPCA were “working with us” or needed to “work with us” to bring the conditions up to an acceptable standard. The only question about improvement to the conditions arose in the series of visits to the site prior to the last visit on 21st June 2010. A number of suggestions were made which we were quite happy to agree and were in fact in the course of implementing, when progress was interrupted by the raid on 13th July 2010.

- ③ **“The Brimleys should have been given one last chance”**. This remark is patronising and offensive. One last chance to do what, exactly ? Various actions had been agreed with the RSPCA in June 2013 (railing in of the paddock ; arrangements for disposal of animal waste) which were in fact being carried out. No “one last chance” was necessary or relevant to anything.
- ④ **“We continue to work with them – as recently as this week we visited the sanctuary to continue this dialogue.”** This simply is not true. No-one from the RSPCA visited the site last week nor was expected to. The RSPCA does not “continue to work with us” – on the contrary, it steadfastly refuses to do anything at all about the complete mess it has put us all in by carrying out the raid that it has admitted it should never have carried out in the first place, and will not lift a finger to correct the highly damaging matter about us and this sanctuary smeared all over the internet, even though the RSPCA has the power to take corrective action.
- ⑤ **“It wasn’t the RSPCA who put this into the public domain.”** This is disingenuous to say the least. What did the RSPCA expect would happen in point of publicity by obtaining a Warrant to enter on the land (which it had standing permission to enter at any time it reasonably wished anyway – a fact that it does not appear the Judge was ever informed about), knowing that the Police would be in attendance, and knowing that the Police would bring the Press to the land as it usually does in these situations, as was admitted by Sergeant Malcolm Dey of the Hatfield Police ? Has there ever yet been a ‘private raid’ by the RSPCA, quite unknown to the public ?

⑥ **The Warrant.** The Warrant was unlawfully obtained. The District Judge was never told by the Police (who had been informed of this) making the application at the behest of the RSPCA that the RSPCA had standing permission to go onto the land whenever it reasonably wished and had not, therefore, been denied access at all ; nor were the District Judge or the Police told that no emergency existed on the land of any kind ; nor that a course of actions relating to railing of the paddock and animal waste disposal had been agreed and was in course of being carried out ; nor that the RSPCA had actually agreed to a further visit that never happened because of the raid carried out under the unlawful Warrant ; nor that only three weeks beforehand on 21st June 2010, RSPCA Inspector Mr W. Rippon [No. 972, RSPCA East Region] issued an “AWA 092913” form. That notice, purportedly under the Animal Welfare Act 2006, but actually with no legal authority whatever, plainly stated that the animals *were* contained within a suitable environment and that the environment they were kept in *was* clean. The Information underlying the Application for the Warrant stated that there was no running water on the site. This is factually true : but at no stage has the RSPCA ever said that running water is a pre-requisite for keeping animals on the site. Nor does it say that it is a pre-requisite for keeping animals on the site today.

To date the Chief Legal Executive of the RSPCA in Horsham (who was not involved in the application for the Warrant) has refused to apologise to the District Judge, as is his professional obligation to do, for misleading the Court (and the Hatfield Police) on matters which, had they been properly and correctly understood by the Hatfield Police and by the Judge on 12th July

2010, could not lawfully have led to the issue of the Warrant under the Animal Welfare Act 2006 and to all the consequent actions that have caused us enormous upheaval and great distress.

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