

RSPCA MEMBERS'



WATCHDOG

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Many RSPCA members have complained to Watchdog about the lack of information coming from Headquarters concerning actions of the Council. There can be little doubt that change is on the way. The Winter 2003 edition of Animal Life is one example. The Head of RSPCA Publications should be congratulated on an interesting edition containing very welcome information in the News Section.

Another step forward is of particular importance to RSPCA Members' Watchdog which was started in 1987 with the prime aim of seeking justice for members who had been unjustly treated.

It was encouraging to learn that on the 11th November 2003, The Council adopted what seems to be a fair way to deal with appeals from members who have been refused Branch membership or who have been removed from Branch membership.

The new procedure places the onus on the Branch Committee against whom an appeal has been directed to demonstrate the reasonableness of its decision.

Within 21 days of receiving written notice of an appeal, the relevant Branch Committee must send written reasons explaining the decision to refuse Branch membership or remove Branch membership with any relevant documentation to the Adjudicator c/o The Legal Department.

When received by the Adjudicator, a copy is then sent to the person who has appealed. A period of 21 days is allowed for the Appellant to submit written representations in reply (if he or she wishes). These representations are then sent to the Branch Committee. The Adjudicator then carries out an assessment and may decide to a) to make further enquiries or b) proceed to determine the appeal or c) invite the Appellant (who may be accompanied by a friend) and a representative from the Branch Committee to attend an informal hearing.

So far, the procedure seems fair and open. A lot depends on the impartiality of the Adjudicator. The Adjudicator is the Council or such

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committee or delegation of Council members as it nominates from time to time. In September 2002, The Council nominated the Membership Committee as the Adjudicator. We have heard that this Committee consists of the four Council Officers, Ms Jill Thompson, Richard Ryder, Miss Reid and Mrs Unmack. The first test of the new Appeals Procedure is at present being carried out.

The Charities Bill and the Animal Welfare Bill

The Government has completed its review of the Strategy Unit Report on charities. The Strategy Unit Report made a number of recommendations for reform and many of these recommendations will now be taken forward to a Charities Bill which is currently being drafted.

Three changes that are likely to be introduced could benefit the work of the RSPCA. They are :-

*Charities will be permitted to carry out some campaigning while still being considered as part of the charitable purpose.

(This could allow campaigns against animal experimentation which are not allowed at present.)

THE TIMES 6/7/96

From Dr Richard D. Ryder

Sir, Lord Mancroft's letter (July 1) defending the British Field Sports Society's attempt to infiltrate the Royal Society for the Prevention of Cruelty to Animals with blood sports enthusiasts is shot through with inconsistency. The objects of the RSPCA are to prevent cruelty and promote kindness. How can blood sports be consistent with these?

What is even more extraordinary is the attitude of the Charity Commissioners in advising the RSPCA that it cannot lawfully keep out such entries. It is surely quite absurd that a national body of the importance of the RSPCA should be forced to allow itself to be infiltrated by its opponents. What sane business would allow this to happen? If this is indeed the law then clearly the law needs changing. My motion at the society's recent AGM (report, July 1) was an attempt to address this problem.

Another, even stranger, aspect of charity law is that it does not recognise animal welfare as a charitable object. This archaic view is entirely out of touch with modern public opinion and puts animal welfare charities into an impossible position as regards fundraising. For the Charity Commissioners to tell the RSPCA that it cannot campaign for animal welfare (which it has been doing since 1824) is a total nonsense. Again, the law needs changing.

Yours faithfully,
RICHARD D. RYDER
(Council Member)

* Adding to the proposed 10 charitable purpose categories with the promotion of animal welfare.

(Over 7 years ago in 1996, Richard Ryder wrote a letter to The Times outlining the need for a change in the law. His letter was published in Watchdog 55.)

* Proposals allowing charity trustees to be paid will be recommended with some safeguards to prevent misuse.

(This could give greater control over the cost of trustees, the number of trustees and democratic elections to the Council.)

Information about an Animal Welfare Bill was included in Animal Life. Also the RSPCA has published a two page advertisement in the press to promote an Animal Welfare Bill to replace the outdated 1911 Protection of Animals Act. This is a very effective picture illustrating a typical

Animals' Rights

JEREMY RIFKIN

THE GUARDIAN 16/08/03

Noting the striking similarities in brain anatomy and chemistry of humans and other animals, Steven Sivy, a behavioural scientist at Gettysburg College in Pennsylvania, asks a question increasingly on the minds of other researchers: "If you believe in evolution by natural selection, how can you believe that feelings suddenly appeared, out of the blue, with human beings?"

The new findings of researchers are a far cry from the conceptions espoused by orthodox science. Until very recently, scientists were still advancing the idea that most creatures behaved by sheer instinct, and that what appeared to be learned behaviour was merely genetically wired activity. Now we know that geese have to teach their goslings their migration routes. In fact, we are finding out that learning is passed on from parent to offspring far more often than not and that most animals engage in learned experience brought on by continued experimentation and trial-and-error problem-solving.

So what does all of this portend for the way we treat our fellow creatures? What about the thousands of animals sub-

jected each year to painful laboratory experiments? Or the millions of domestic animals raised under inhumane conditions and destined for slaughter and human consumption. Should we ban leg-hold traps and discourage the sale and purchase of fur coats? And what about killing animals for sport? Fox hunting in England, bull-fighting in Spain, cock-fighting in Mexico? What about entertainment? Should lions be caged in zoos, should elephants be made to perform in circuses?

These questions are beginning to be raised in courtrooms and in legislation around the world. Today, Harvard and 25 other law schools in the US have introduced law courses on animal rights, and an increasing number of cases representing the rights of animals are entering the court system. Germany recently became the first government in the world to guarantee animal rights in its constitution.

The human journey is, at its core, about the extension of empathy to broader and more inclusive domains. At first, the empathy extended only to kin and tribe. Eventually it was extended to people of like-minded values — a common religion, nationality or ideology. In the 19th century, the first humane societies were established, extending the empathy to include our fellow creatures. Today, millions of people, under the banner of the animal rights movement, are continuing to deepen and to expand human concern for, and empathy toward, our fellow creatures.

The current studies into animals' emotions, cognition and behaviour open up a new phase in the human journey, allowing us to both expand and deepen our empathy — this time, to include the broader community of creatures who

On August 18th and 19th 1977, a Symposium was held under the auspices of the RSPCA at Trinity College Cambridge on the Ethical Aspects of Man's Relationship with Animals. Nearly 200 people — a mixed group of theologians, philosophers, scientists, lawyers, politicians and thinking people attended

At the end of the meeting a statement headed 'The Rights of Animals — a Declaration Against Speciesism' was signed by 150 people. For those RSPCA Members who are not familiar with this Declaration — it is—

'Inasmuch as we believe that there is ample evidence that many other species are capable of feeling, we condemn totally the infliction of suffering upon our brother animals, and the curtailment of their enjoyment, unless it be necessary for their own individual benefit.

We do not accept that a difference in species alone (any more than a difference in race) can justify wanton exploitation or oppression in the name of science or sport, or for food, commercial profit or other human gain.

We believe in the evolutionary and moral kinship of all animals and we declare our belief that all sentient creatures have rights to life, liberty and the quest for happiness.

We call for the protection of these rights.'

This Declaration was put in the front of the RSPCA Policy Book but NOT as a policy. In 1996, almost 20 years later it was removed, we were told by order of the Charity Commission! We have no means of ascertaining the truth of this excuse. The RSPCA could have led the world in promoting

rights for animals but it was the German Government that was first to guarantee those

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On 12/12/03 at 6.45am, on Radio 4's Farming programme there was a talk on wild boars. These animals have greatly increased in numbers from near extinction. As you might expect, hunters are shooting them all the year round. A plea was made for the legal protection of a 'closed season' To emphasise the need for rights for animals to be written into the law, we have published an extract from an article by Amelia Hodson in The Guardian 17/12/03. It was headed -

The Countryman (December) touched on badgers - "beautiful, magical ... but ultimately deadly?" - then turned to Evan Richards, a "metropolitan globe-trotting" journalist who has recently moved to a home in rural Wales. "uphill from the Wye river". He explained that "not many people living around here actually engage in, or are much interested in, killing foxes or hunting to hounds. We do kill ... but only squirrels, moles, wood pigeons and rabbits wreaking havoc in our coverts."

last quality and longer-lasting thatch by these laws, but English Heritage says it is "determined to hold the line". In Country Life (December 11) Adrian Dangar spent a day "hunting in Laurie Lee country with the progressive Cotswold Hunt" - their pro-gressiveness was demonstrated by entertaining spectators during a lull in the action, but "such jollies may appal the purists". While the hunt ran their fox to ground, Dangar mused on the beauty of the Slad valley: "The view was of thick, wooded valleys ... and Bisley church spire piercing the last strands of light ... The final touch was the chiming music of the Cotswold pack. Long may those valleys continue to echo to their cry."

now they have learnt their wiles. The magazine also pointed out that, contrary to popular belief, thatched cottages are not just the "chocolate-box epitome of our country heritage"; they are also the site of a bloody battle between thatchers and English Heritage. Foolhardy thatchers who breach the organisation's rules - which hold that "when a thatched roof is renewed, the original thatch can be replaced only by the same type" - are liable for an unlimited fine or two years in prison. Residents are being prevented from upgrading to

scandal" - via a "curious incident with woodcock". Readers of the Field were also provided with a rural advent calendar so they could "revel in the real Christmas spirit". For those of you who missed it, don't forget to mark December 20 and "take a child out shooting: the future of the sport is in the next generation". Country Illustrated (December) analysed the past two hunting seasons, with the aid of "fox reporting forms" filled in by hunts in England and Wales. Only one in every three foxes hunted was killed last season, compared with one in two the previous season. The variance can be explained by the foot and mouth epidemic: after a period of not being hunted, foxes "made mistakes", but

or those of a rural bent heading for a day's grouse £15, £30 for a 400-bird bag), or ur-bali types seeking a fix of country air (with that ever-present, and not entirely unwelcome, top note of manure), the country magazines had it all, in spades. The Field (December) - the hant-book of the huntin', was 150 years old this year, and marked the anniversary with a supplement commemorating 150 great sporting moments. These ranged from the merits of the breech-loader and the perfected muzzle-loader to the Liberty & Lovell hood march last November - "to be part of [it] was a privilege ... to have missed it ... was a personal

Why You Should Take A Child Shooting This Saturday.

KILL KILL KILL - if not foxes then squirrels - moles - wood pigeons - rabbits - (wild boars) and so on.

We believe that the Declaration of Animals' Rights should be restored to its original place in the Policy Book or made an RSPCA Policy. Please send us your views.

Quote of the Month

'The day may come when the rest of the animal creation may acquire those rights which never could have been withheld from them but by the hand of tyranny - the question is not can they reason? Nor, can they talk? But can they suffer?'

Jeremy Bentham in 1780.

(This was quoted by Richard Ryder at the Symposium in 1977. It is now 2004 is it not time for the suffering to stop?)

A Member Writes

We do not publish the name of the writer for fear of victimisation. It is time to have Freedom of Speech in the

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Society at large.)

A MEMBER WRITES

"It is useful to have a reminder of the Sparrow Report.

There are still aspects of the organisation of the Society which remain a mystery to me. They certainly go out of their way to keep certain information out of the public domain. Power struggles within the Society is hardly conducive with a charity where the top priority should be animal welfare. It is not meant to be an avenue for status and self-aggrandisement, which, unfortunately, is encouraged by the existence of Royal patronage.

I have always participated in the voting and I hope that by reading carefully each applicants CV that I have been able to avoid voting for the wrong person. It was certainly vital in 2002 to be aware of those who were putting themselves forward who were pro-hunters.

With the increase in animal abuse in all areas it is alarming if those in the front line coping with it all are not getting the support they

Magpie has rights too, judge rules 1/07/03

DAILY TELEGRAPH

By NICOLA WOOLCOCK

MAGPIES have legal rights and should not be made to suffer without good reason, the High Court ruled yesterday.

The RSPCA successfully appealed against a judge's refusal to convict Norman Shinton of causing unnecessary suffering to a magpie.

Mr Shinton kept the bird in a trap in his garden in Telford, Shropshire, as a lure to catch and kill other magpies. He claimed that it was a way of protecting songbirds' eggs and chicks from the magpies.

But he was accused of causing unnecessary suffering by using it for at least five days.

Mr Justice Leveson allowed the RSPCA appeal against a Telford judge's refusal to convict, although Mr Shinton was using the trap under licence.

He was told that an RSPCA inspector found the bird dirty and covered with a greasy film, with primary wing feathers broken and injuries to its claws, in July 2000.

It was in a small Larsen trap, a device with a spring-loaded door, and could not stretch its wings. It looked as

if it had been confined for several weeks.

Mr Justice Leveson said that Mr Shinton, a member of the British Association for Shooting and Conservation, was authorised to confine the magpie under the 1981 Wildlife and Countryside Act.

But he said that Philip Browning, the Telford district judge, was wrong to clear him of causing the bird unnecessary suffering. Although the trap might be lawful, it was "illogical" to say that its owner had no responsibility.

"It is impossible to say that this bird did not suffer unnecessarily," he said. "I do not accept that the trapped bird being lawfully used demonstrates that an offence under the 1911 Protection of Animals Act cannot be made out."

The judge said it was not necessary for the case to be reconsidered, as the RSPCA had brought it only to clarify the law.

The RSPCA described Larsen traps as "inherently cruel", adding: "There is no evidence that magpies have a significant effect on the song-bird population."

have a right to expect. Everyone talks about education, but it seems to me that all the time whatever campaigns, press releases and, indeed, television coverage where one often sees the result of terrible cruelty, it is not getting through to the people it is intended for.

(This member has expressed views which are reflected in many of the letters that we receive, It is a fact that if you are not a member of the Council, very little information about the work of the Society is known. Recently, at a U3A Discussion Group, I was horrified to hear a man say he was going to shoot the magpies in his garden. I quoted from John Bryant's book 'Living with Urban Wildlife.' John describes the Corvidae family, of which magpies are part as probably the most intelligent who have no impact on the small bird

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population. I have since received a copy of an item from the Daily Telegraph (1/07/03) on the legal rights for magpies which had been clarified by a case brought by the RSPCA. MHH)

2004

With the New Year, the elections to the RSPCA Council approach. It is more important than ever for members to read the CVs of candidates very, very carefully.

Remember that at the second meeting of what was to become known as the RSPCA an important statement was recorded in the Minute Book. Richard Martin, the author of the first successful Parliamentary Bill to limit cruelty to animals, stressed that this first animal welfare society in any country should not be known as a prosecuting society and that the prime aim should be 'to alter the moral feeling of the country.'

You only have to read about the increase in cruelty to animals to realise that that prime aim has NOT been achieved.

It is important to have a council member with legal expertise to be able to support the Legal Department - there are other considerations. Lord Houghton said 'Animal welfare in the general and in the particular is largely a matter for the law. This means that to Parliament we must go.' The prime aim must be the education of the public. To quote Lord Houghton again - 'While public opinion is pretty clear on what may be thought to be wanton, avoidable, or unnecessary cruelty, it is by no means so positive about cruelty inflicted on animals in the course of satisfying human needs: attitudes towards killing for food, or even for sport, towards painful experiments in our laboratories, or even the merciless trapping of wild animals for their skins or furs - areas where the moral issues are blurred by material gains or by the pleasures involved.'

Choose Council members who will set an example and make sure that they are democratically elected. Council members must be fully supportive of the Society's policies, understand Freedom of Expression, willing to keep in touch with ordinary members by doing away with the excessive and unnecessary secrecy that now surrounds the Council's work and by rejecting a timid approach to preventing cruelty to animals.. The Society is opposed to any hunting of animals with dogs or other animals. There can be no excuse for having pro hunting Council members or for proposing seconding or signing the CVs of pro hunting candidates.

Thank you for all your support. Due to an increase in the cost of stamps in April, we would be grateful for help with postage.