

Amersham and the Animal Welfare Act

On 9th January 2008, Redwings Head of Welfare Nic de Brauwere was shocked by what he saw as he walked into Spindle Farm with an RSPCA Inspector.

As highlighted in our welcome letter, 2018 marks the 10-year anniversary of one of the most notorious rescues in our charity's history (turn to page 10 for the full Amersham 10 story). As well as being remarkable in scale, effort and cost, the rescue at the Amersham farm was also notable for the successful use of a new law, the Animal Welfare Act. This law was finalised in 2006 and came into force in April 2007, and enabled us to remove all 97 horses, ponies and donkeys in just one day.

Introducing the Animal Welfare Act

Before the Animal Welfare Act, horses could only be removed from an owner if a vet said they were 'suffering unnecessarily' – such as due to being dangerously thin or having an untreated injury or illness. There were many thin, sick and injured horses at Spindle Farm that could have been rescued under the old law, but more than half were not poorly enough to be deemed as 'suffering unnecessarily' and would have had to be left behind.

But the new Animal Welfare Act created additional powers to help prevent suffering by enabling animals to be rescued sooner. Under the Act, a vet can certify that a horse is either 'suffering' or is 'likely to suffer if its circumstances do not change'. Using the new 'Duty of Care' clause as a guideline, it was clear that every horse at Spindle Farm would suffer if they stayed. So, thanks to Nic's brave use of the Act, the police authorised us to remove all 97.

The 5 needs

The Animal Welfare Act's 'Duty of Care' clause says all animals have five basic needs. An owner must make sure all these needs are met:

- 1 The need for a suitable environment**
- 2 The need for a suitable diet**
- 3 The need to express normal behaviour**
- 4 The need to be housed with or apart from other animals as appropriate**
- 5 The need to be protected from pain, injury and disease**

When a Redwings Field Officer finds that someone is not meeting their 'Duty of Care', they can give advice on how to improve the horse's welfare. We help hundreds of horses every year by educating and encouraging owners to help them meet the needs of their horses. This in turn means the horse can remain in the care of their owner and precious space at the Sanctuary is saved for those most in need of rescue.

Prosecution of an owner may occur where the level of animal suffering is severe or advice has been offered but ignored.



Caring for rescued horses

Rescued horses still belong to the owner until a court transfers ownership. The Amersham equines were 'boarded' at Redwings for nearly two years while the owner and his family were prosecuted.

The Animal Welfare Act also increased the number of offences the defendants were prosecuted for. As part of sentencing, the judge made the charities who had cared for the horses the new legal owners.

We keep careful records for all boarding horses; from feed and vet treatments, to their weight and behaviour. These records can be used as evidence in court as they were in the case of the Amersham rescue.



Working together

Redwings has in-depth horse knowledge, field officers who can support owners and vets who can decide if a horse is suffering, or is likely to suffer. Redwings does not prosecute owners, rather we work closely with organisations who do, such as the RSPCA and Trading Standards, and provide vital evidence for cases. We can also offer boarding horses a caring home while investigations and court cases are underway.

Thanks to the Animal Welfare Act, all the neglected horses, ponies and donkeys from Spindle Farm were rescued and the Act has been helping to prevent and relieve the suffering of thousands more horses ever since.

Did you know...?

The Animal Welfare Act applies in England and Wales. Scotland and Northern Ireland have separate but very similar laws, meaning animals enjoy the same level of protection across all of the UK.