



UKHSU Newsletter

The Voice of the Farrier

Issue 9, spring 2005

This newsletter shows some of the ways in which UKHSU is working to represent your interests. For example, Stuart Craig has been to an Industry Group meeting, Giles Holtom has been to the National Equine Forum, Peter Baker has been to the Union of Country Sports Workers meetings and several of us have been to FRC Disciplinary meetings.

We have been consulted by the Scottish Executive on the extension of the Act to the Highlands and Islands and by DEFRA on the Equine Industry Strategy. And we are all hard working tradesmen in our day jobs. For only £20 a year you have a strong and independent voice in your corner.

Please continue to support your Union and tell your friends about us.

UKHSU Elections 2005:

The Union's third annual elec-

tions are now approaching. We are keen to attract as wide a range of candidates as possible to stand for election to the Committee. Any paid up farrier or apprentice farrier member is eligible. If you would like to be involved and are able to attend about 5 meetings a year then please consider standing.

If you are a farrier or apprentice farrier, are you interested in standing for the following posts:

Chairman, Vice Chairman (more than one position available), Treasurer, Secretary, Press Officer, Web Editor.

If so please let the secretary or any other current officer know by the 1st May 2005. The election will take place by postal ballot. The results will be announced at the AGM.

UKHSU Seminar and AGM - Tuesday 17th May 2005

Agenda.

7pm UKHSU AGM for members.

Followed by an Open Seminar for members and sponsors invited guests.

7.30 Slide / Video presentation by Peter Baker.

7.45 Refreshments.

8.00 pm Lecture by Simon Curtis "quarter and toe cracks".

9.00 pm. Discussion

Venue: Bear Hotel, Hungerford.

Kindly sponsored by Sefco Equineering.

Demand is high and space is limited so please let us know if you plan to come.

UKHSU contact details are at the end of page 8.

Need to talk?

What do you do when the stress and strain catches up with you? Sometimes you don't even want to admit it to your family. This is where the **Rural Stress Information Network** can be your lifeline. They have trained volunteers who can offer advice or just listen. It is often easier to talk your problems through with a stranger and all calls are treated in the strictest confidence.

Phone 0247 641 2916.

UKHSU Farriers Survey 2005

Our annual members survey is included with this newsletter.

Do you think horseowners are less competent? Have you plenty of work?

Let us know what YOU think about your trade by spending 2 minutes to fill it in and post it back to UKHSU at the address given.

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FRC Disciplinary Committee Meeting held on the 7th April 2005 at the General Chiropractic Council, 44, Wicklow Street, London.

Report by Martin Humphrey
7/4/5

The location was quite near Kings Cross Station which was convenient as I could walk from Euston Station and the defendant and witness could walk from Kings Cross Station. There were 2 farriers on the 6 person committee, James Todd and Terry Hargreaves. The Chairman was Mr Fox from the Rural Development Commission, who was uncharacteristically well mannered today! The others were Mrs Alderton from the BEF, Mr Vincent from the Worshipful Company of Farriers and Mr Nixon from Scottish Enterprise. Absentees were Nafbae's Gary Burton and David Gibson from the Jockey Club.

I was the only member of the public present, representing the UKHSU. There was no representative from Nafbae or from the press.

The accused farrier was Paul Rushton from Yorkshire who represented himself.

The charges were that on the 25th of May 2004 at Lantwood Riding Stables, West Yorkshire, a showjumping and livery yard run by Tim O'Hara, Paul allowed a person who was neither a Registered farrier or apprentice at the time, Michael Darwin, to remove shoes, clean the hooves,

trim and file the feet, use a template shoe to make adjustments to the feet and that Paul Rushton then nailed on new shoes to the feet prepared by Mr Darwin, thus aiding and abetting illegal farriery. This being allegedly Serious Professional Misconduct.

The opening remarks by FRC lawyer Mr Christie were that ATF status had been applied for by Mr Rushton with the intention of taking on Mr Darwin as an apprentice but this had not been finalised. Mr Darwin had taken and passed his entrance exam and forging exam and had been accompanying Mr Rushton occasionally on his rounds, holding horses etc. Mr Darwin was in his thirties and an experienced horseman. Mr Rushton had been his family farrier for some years.

Ex policeman and FRC Investigator of 11 years standing Paul Baker had been sent following a complaint received about illegal farriery being undertaken by Messrs Rushton and Darwin. The complaint is suspected to emanate from a "rival" local farrier. Mr Baker claimed under oath to have followed the farrier to the yard. However it is believed that he made a trick phone call to Mr Rushton, saying that his daughter wanted to meet him with a view to him shoeing her pony and asking where he was likely to be working.

Mr Baker spied on the men for half an hour through a hole in a stable wall and then went into the yard and approached them. He spoke to both men, then iden-

tified himself, read them a caution and spoke some more.

There was much disagreement between Mr Baker on the one hand and the two men as to what had been observed and what had been said in the subsequent interview. Mr Baker claimed that the men were on to shoeing their third horse after half an hour, an impressive work rate but not one which is physically possible. Mr Rushton only shod two horses that day at the yard and had not even started to nail the shoes on the first horse by the time Mr Baker entered the yard.

There was also a wide disparity in the statements of the distance away that Mr Baker had been hiding. He claimed to have been close by (15 to 20 feet) but could not hear anything that the men said and could not tell what tools they were using. He also continually left his observation site in order to avoid the risk of arousing suspicion. Both Mr Rushton and his helper estimated the distance to have been 50 to 70 feet.

No photographs or other methods of recordings were made of the events, other than a written record made by Baker afterwards. Mr Baker said that he had been provided with a description of Mr Rushton. He later said that he had a photograph of him. He first said under cross examination that he had never seen Mr Rushton before but later said that he had seen him at his home the previous day.

Michael Darwin is now an ap-



prentice with Steven Hewitt. No action has been taken against him. He admitted removing 2 shoes, cleaning out the feet with the back of a hoof knife and trimming away any loose bits of hoof with the knife and filing rough edges from the hoof.

Paul Rushton called the Baker evidence a sham. It seemed to him that Mr Baker had been watching himself under the impression that he was watching Mr Darwin.

In his summing up Mr Hosford-Tanner said that according to Section 18 of the Act it is not an offence to remove shoes when not intended to fit new ones. The Committee would form their own views as to whether removing of the shoes in this case was an act of farriery.

The Chairman said that the charges of aiding and abetting farriery were proven, and that removing the shoes and using a hoof knife and file on the feet constituted preparation for the immediate reception of the shoes. It was clearly stated that there were no welfare implications in this case. They found Mr Rushton guilty of serious Professional Misconduct. They gave him a "serious caution."

There are a number of issues of concern about this case:

1) It was worrying that Mr Rushton was not represented at the hearing and that he had not been sent a copy of the UKHSU flier which had been supplied to the FRC at their request in order to offer farriers assistance and support in dealing with complaints.

2) There are serious concerns over the competence and integrity of FRC Investigator Mr Paul Baker.

3) There are serious concerns over the interpretation of the Farriers Registration Act section 18 which defines "farriery" as "any work in connection with the preparation or treatment of the foot of a horse for the immediate reception of a shoe thereon, the fitting by nailing or otherwise of a shoe to the foot or the finishing off of such work to the foot."

Mr Nicholas Budgen MP made a specific statement that preliminary rasping or filing prior to the application of a horse shoe was not deemed to be an act of farriery, this observation was supported by the then Secretary of State Dame Shirley Summer-skill. This is laid out in Hansards

(House of Commons Standing Committee C 12th March 1975).

Furthermore the act of removing a shoe was not mentioned at all and was never given any consideration of being an act of farriery.

Much was made of the fact that a farrier is expected to know the Guide to Professional Conduct. If you are a farrier and you don't think that the Guide is designed as a trap to catch you out then you should attend a Disciplinary Hearing and hear how much the prosecution and the Committee go on about it.

Yet again a farcical Disciplinary case has wasted a huge amount of farriers money, caused an decent farrier a great deal of stress and achieved nothing.



Industry Group Meeting 9th March 2005

Stuart Craig is a member of the Professions Allied to Veterinary Science Industry Group. At the meeting at Lantra in Stoneleigh it was decided to send a questionnaire to find employers views. Stuart was able to get agreement that UKHSU would be consulted over the questions. Nafbae have not attended the groups meetings for the last 18 months. Most of the meeting was taken up with discussions about the regulation of veterinary nurses, equine dental technicians and other ancillary trades. This may well affect farriers at some stage and needs watching.



UKHSU response to the Scottish Executive Consultation on extending the Farriers Registration Act to the Highlands and Islands of Scotland

In forming our views our first consideration has been for the welfare of horses, ponies and donkeys. The Farriers Registration Act has always been regarded by farriers as an animal welfare Act. There appear to be increasing numbers of horses in the Highlands and Islands, mostly used for leisure. We believe that there are currently more Registered farriers in the Highlands and Islands than ever before.

It should be noted that neither Northern or Southern Ireland or most of the EU are covered by any Registration system.

There are alternatives to the current proposals:

- 1) Establish a separate Scottish Registration system for all of Scotland.
- 2) Deregulate farriery in the whole of Scotland.
- 3) Extend the Act to the Highlands but not the Islands. If the Act were to be applied to the Scottish Islands this would leave islands off England and Wales still exempt, a strange anomaly. Even in parts of the Highlands eg Fort William, Caithness because of the distances involved there is some reliance on gamekeepers etc to put on lost shoes - this reliance would still continue after any legislation. Registration would work better in the Islands if there were subsidies paid to farriers as there are for vets.

Comments on the discussion letter:

"Background

"Farriery is defined within the Act as any work in connection with the preparation or treatment of the foot of a horse for the immediate reception of a shoe thereon, the fitting by nailing or otherwise of a shoe to the foot or the finishing off of such work to the foot. What this means is that, if the foot will finish up shod, any work such as trimming counts as farriery. If the foot will not be shod, at the end of the process, trimming does not count as farriery and anyone may carry it out."

This is incorrect. Mr Nicholas Budgen MP made a specific statement that preliminary rasping or filing prior to the application of a horse shoe was not deemed to be an act of farriery, this observation was supported by the then secretary of state Dame Shirley Summerskill. This is laid out in Hansards (1).

"Reasons for Extending the Provisions of Regulation 16 of the Act to Cover the Highlands and Islands Areas of Scotland

"Applying the above provisions would ensure that:

"1) all persons shoeing horses would be regulated, would be expected to abide by a code of conduct, and would be subject to disciplinary penalties in the event of serious professional misconduct;"

There are serious issues with the FRC Disciplinary system. The FRC Farriers Code of Conduct is widely held to be unsatisfactory - many farriers feel that it is unnecessarily complicated, overreaching and oppressive. Disciplinary penalties are applied to matters unrelated to standards of horseshoeing. The FRC are currently instigating Criminal Records Bureau checks for all new training farriers and are considering whether to extend this to all registered farriers - following notification of criminal offences to the FRC there have been disciplinary actions taken resulting in the farriers concerned being struck off the Register. Disciplinary hearings are usually held in London. Even when a farrier is exonerated of a disciplinary charge there is no award of costs which commonly exceed £10,000. It is impossible to obtain insurance to cover all of a farriers legal expenses.

"2) more extensive lists of registered farriers would be available from the FRC, free of charge, to horse owners and members of the public;"

A list of farriers in a single postcode area is currently free but for additional areas there is a charge of £2

"3) all registered farriers would be encouraged to remain up to date in their training, take part in a programme of Continuing Professional Development and develop good working relationships with local veterinary practices;"

There is nothing to stop farriers registering voluntarily, or to stop unregistered farriers from attending CPD events worldwide.

"4) following initial transitional arrangements to admit existing farriers onto the Register, all new entrants to the craft



would be properly trained and would be required to pass a prescribed examination"

This is not possible as anyone with farriery experience in another EU state, with no requirement for training or qualifications, will be entitled to register

"5) farriers based in the Highlands and Islands areas would be able to carry out farriery in the rest of the UK without committing a criminal offence."

Many farriers based in the area are already registered and of the rest all those who have been shoeing for 6 years are entitled to register.

We were initially inclined to recommend that if you do extend the Act then it be to the Highlands and not the Islands. However given that the Islands are currently reasonably well served by farriers from the mainland we feel that it would be sensible to get the issue sorted out for once and for all and to extend the Act to cover all of Scotland. It must be accepted by horse owners in remote areas that they must sometimes be prepared to wait a matter of weeks for farriery attention.

The UKHSU recommend that you make the following conditions:

- 1) All Disciplinary hearings of Scottish based farriers to be held in Scotland
- 2) Disciplinary action should not be taken against any farrier unless he or she has been convicted of an offence either (a) relating to the welfare of animals and connected to the carrying out of a farriery procedure, or (b) with serious implications for the safety of the public. This is in line with the situation currently relating to Equine Dental Technicians (2).
- 3) The Farriers Registration Council to be included in the Freedom Of Information Act
- 4) The representative of Scottish Enterprise on the FRC be replaced by an elected representative of Scottish farriers.
- 5) Separation of the Farriery Training Service from the FRC. To take advantage of Registration there needs to be a less bureaucratic and more user friendly apprenticeship system.
- 6) The amendment of S T A T U T O R Y I N S T R U M E N T 2002/1597 European Communities (Recognition of Qualifications and Experience) (Third General System) Regulations 2002 which incorrectly states that: "**The profession of farrier is an activity within the scope of the Directive to which access in the United Kingdom is regulated by law on the basis of particular qualifications or experience.**" Since entry to farriery on the UK is solely on the basis of examinations and qualifications, as is the case for example with veterinary surgery, it is imperative that the law is correctly drafted to prevent unqualified persons becoming registered. It would be necessary in extending the Act to the Highlands and Islands to allow currently unregistered farriers to become registered on the basis of experience but this should be seen purely as a transitional arrangement as happened when the original Farriers Registration Act was brought in and also happened when the Veterinary Surgeons Act was passed in 1966.
- 7) We suggest that discussions are instigated to look into the merits of a scheme of subsidy administered by a body such as the ILPH or SSPCA whereby if a farrier has to make an uneconomic visit on welfare grounds where an owner cannot afford the cost or an owner cannot be found then the farriers bill will be paid. This is similar for example to the practice in England and Wales where the RSPCA will often pay a vets bill when the owner cannot afford treatment. We would also suggest that some consideration be given to a fuel subsidy to farriers due to the large distances travelled.
- 8) The benefits of employing a Registered farrier should be promoted throughout the Highlands and Islands. The FRC have failed to do this in recent years.
- 9) Though not directly relevant we would also like to make the point on behalf of our members that it would be helpful if hunting was to be supported as for a number of farriers this affects their livelihood.

references

- 1) Hansards (House of Commons Standing Committee C 12th March 1975).
- 2) S T A T U T O R Y I N S T R U M E N T The Veterinary Surgery (Equine Dental Procedures) Order 2003 -

"Suspension and revocation of certificates of exemption

6. (1) The Secretary of State may suspend or revoke the certificate of exemption of any qualified Equine Dental Technician who is convicted of an offence relating to the welfare of animals and connected to carrying out an authorised procedure."



Doctor Giles goes to the National Equine Forum

The 13th National Equine Forum (NEF) was held on Tuesday 22nd March at the Royal Veterinary College, London.

The Princess Royal, a regular attendee since its inception, once again joined the forum to give a presentation during the afternoon session.

Princess Anne sat next to Dr Giles Holtom PhD FWCF who was representing the UKHSU.

The Forum covered a number of important industry issues this year, with contributions from the Rural Affairs Minister Alun Michael as well as some of the country's leading equestrian experts.

Alun Michael provided the current Government overview of the industry, saying that the horse industry was "vibrant" and listed the many ways in which the Government is working for the good of horses. Giles asked him an awkward question about compensation for farriers affected by hunting. We trust that it made the Minister feel uncomfortable.

Tristram Ricketts, chairman of the British Horse Industry Confederation, presented an update on the "Strategy for the Horse Industry", due to be launched in the summer.

Graham Suggett, British Equestrian Federation consultant director of breeding, issued the latest information on the National Equine Database.

Aideen O'Dochartaigh, winner of the Eqvalan Duo "Equine Thesis of the Year" revealed the results of her research on "Factors affecting the sale of Thoroughbred Yearlings". For example she confirmed that colts fetch higher prices than fillies but that pedigree is more important. The conformation and soundness of a yearling are the factors that affect its value the most.

The Principal of Hartpury College, Malcolm Wharton, looked at "The Role of colleges", while Will Connell - the team leader of the British Equestrian Olympic team - reviewed Team Britain's equestrian performance and lessons learnt in the 2004 Olympics and Paralympics.

In addition, the forum's traditional afternoon topical spot was reserved for "hot topics". Celia Marr, a veterinary surgeon from Rossdale and Partners, spoke on BEVA "Evidence based medicine initiatives" which try and bring research findings into everyday veterinary practice.

Giles also asked a question of Celia Marr "why they had not involved farriers in their Laminitis research". He was told that they had, but hadn't mentioned it

due to an oversight!!!! "I personally thought they didn't think farriers input was important enough" said Giles afterwards.

Christopher Hewlett, senior assessor, British Breeding, spoke on the newly launched breeders quality mark which aims to encourage higher standards of professionalism in British stud farms.

The Forum, superbly chaired by the very amusing Professor Colin Spedding, CBE, is supported by the ABRs, BETA, BEF, BHS, The Blue Cross, Dodson and Horrell, The Donkey Sanctuary, The Home of Rest for Horses, ILPH, the Jeffress Scholarship Trust and Merial.

Giles reports that he had a thoroughly enjoyable and interesting day out. He spied Les Armstrong and Mr Williamson-Noble in the distance. It was very useful for us to be recognised as a player in the Industry at such a high profile event and will give more weight to our representations on the issues that matter to farriers.



Farriers can't have a bet! We correct Nafbae mistake ...

Les,

Please will you check the information source of the last CLIPPING item in this months FORGE 4/05.

I am closely related to the racing industry as is betting on a horse to win. For low paid stable staff, work riders and Uncle Tom Cobbley and all having a PUNT IS WHAT WORKING IN RACING is all about, to take that away would take compensation.

I feel the editor of the FORGE doesn't understand enough about betting to know the difference between betting a horse and LAYING a horse,

BETTING a HORSE to WIN is part of your HUMAN right,

LAYING a horse to lose is a bit more open to manipulation and an insider trading restriction may be justified. There is an anomaly here - bookmakers LAY horses to lose as a way of living so how can they then own racehorses?

A LITTLE KNOWLEDGE COULD BE A DANGEROUS THING !!!!

Peter N Baker.

From the Editor of Forge Magazine:

Dear Mr Baker

Thank you for your comments regarding the clipping entitled 'rule of racing extended' on page 23 of the April 2005 issue of Forge. Having reread the piece I agree that it is ambiguous. It should have read 'backing TO LOSE horses in their ownership or care'.

On the Jockey Club's website it states 'The Jockey Club have expanded Rule 247, the rule which prohibits owners, trainers and stable employees from laying to lose horses in their ownership or care. From December 1 (2004) the rule will extend to those persons who provide a service to a trainer, for example a veterinary surgeon, a farrier or an equine dentist. The rule states that it shall be a breach for such individuals to lay any horse under the care or control of the relevant trainer within 21 days of the provision of the service.'

I would suggest that this is published in the June issue to clarify the matter for readers who may be confused - apologies.

Gill Harris

Union of Country Sports Workers

The main business seems to be hunting at present, not surprisingly. Supporting pro hunting candidates in the run up to the General Election is the best way to get the hunting Act overturned. The AGM of the UCSW is on Sunday 15th May 2005 at the Worcestershire Hunt Kennels at 12 noon. UKHSU members are of course eligible to attend. The Spring issue of Livin' Country is enclosed with this newsletter along with details of their Sporting Auction which includes many items of interest - there are lots of Hunting, Shooting and Fishing opportunities.



