

THE

Ruth Downey

INQUISITION



"Rising from the grave pit after needless execution by an "RSPCA Death Squad" are 48 head of Ruth Downey's cattle carrying the "Truth Rider" exposing lies and corruption right from boardroom lawyer's greed & gravy trains, to an army of mindless persecutors who manipulate awesome legislated power on targeted Farmers they oppress"



Mal Davies
Investigative Writer & Editor
SOS-NEWS

There is always a dark side against what good people do, which my inquiry into the RSPCA Inspectorate in NSW reveals in this E-book, detailing what they have done and are doing to farmers across the state.

This is not a book of fiction; it is well researched containing substantiated evidence that will make you glow with anger at what they have done to this 73 year old lady farmer.

This E-book is free and must not be sold. We hope you will distribute it so that people may see the other side to this public-funded RSPCA and what it does with your money.

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My thanks to Ellen Ash and Brumby (with 2Y's) for their help with the production of this E-book, also Ruth Downey and family, witnesses, concerned neighbours and other RSPCA targeted Australians. I will follow up very soon with more exposures we have uncovered by our irreplaceable research and investigative volunteers from SOS-NEWS and my resource pool, who shine when it comes to opening a can of worms that those who think they are in control wish to be kept closed.

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WARNING & BE PREPARED IF TARGETED BY the DPI, RSPCA, or RLPB AT ANY TIME

If the RSPCA, or the "Rural Lands Protection Board" (RLPB) visits your farm to assess your stock in any way, contact a solicitor and a reliable vet immediately, explain the incident and have the vet look over your stock subjected to this inquiry.

ALWAYS have a digital camera, preferably a video-cam, (even your mobile phone will do) and a voice recorder which for around \$150 you can purchase a digital note-taker that will record voice for 500 hours, allowing you to leave it in your pocket gathering information all day.

Let them know you are doing this - **DO NOT** let them say you cannot record or photograph. This is on your property and you can gather any evidence on your property to protect your stock or husbandry against claims such as we have uncovered here with Ruth Downey.

Make sure you get ALL names, departments, and good facial pictures of all the vets, inspectors, police, etc. To have someone else there filming is ideal and gives you an independent witness.

Contemporaneous notes are evidence. These are what police officers record in their note books. An electronic note taker is ideal to record conversations. Make the people aware that you are using the recorder to make these contemporaneous notes. If recorded notes are disallowed into evidence, be assured your counsel/solicitor can play them in court at any time to be heard if disallowed into evidence.

Bully tactics and massive legislated powers allow the RSPCA, DPI and RLPB to dictate an inquiry, with officers being sworn in as Special Constables, who become virtual police officers, but with more power concerning cruelty matters, etc. They win 99% the time because they love that power and use it as a weapon. Make sure you gather as much information as you can, there can never have **TOO MUCH** evidence, but if you allow yourself to be pushed around by these officious thugs, then you will lose every time.

Witnesses, video, audio and pictures are your best defence and **NEVER STOP RECORDING ON THEIR SAY – IT IS YOUR RIGHT**. The last thing the DPI, RLPB or the RSPCA need is irrefutable, conflicting facts of evidence to their well-rehearsed Peter Pan court cases.

INTRODUCTION by Mal Davies

As editor and founder in 2005 of SOS-NEWS, my background is with white collar crime detection and intelligence reporting, never before with media, or publications.

Retired now after thirty years in my company, I hold degrees in computer science and engineering, coupled with invaluable experience as a pioneer into forensic computer investigations, presenting evidence, court briefs, and often called upon as an expert witness.

My contacts, both International and National, present a substantial list of associates in many and varied fields, within my company, and with outside investigations, that are an invaluable resource I still maintain, though now retired from my company. I use these resources for SOS-NEWS to gather intelligence that we know certain targets do not want uncovered, as I have done for this inquiry into Ruth Downey and the NSW RSPCA.

During the past year there has been a steady stream of information flowing into SOS-NEWS from concerned Australians, alerting me that the warm and fluffy image presented by the Royal Society for the Prevention of Cruelty to Animals (RSPCA), has in fact a very dark and sinister side, stemming from their inspectorate department.

Initial inquiries revealed that many rural land targets were aged single women working a property on their own. I also established most instances are from NSW RSPCA inspectorate.

Inquiries revealed the same inspector's names appearing on each investigation. Reviewing many statements from farmers subjected to these inquiries, and who did not know each other, the scenario and Storm Trooper Gestapo-styled bullying by these NSW RSPCA inspectors and management were almost identical.

Of greater concern, was finding NSW RSPCA President, Andrew Christopher Wozniak, a solicitor, and fellow director Paul O'Donnell, a barrister, are reaping hundreds of thousands of dollars per year conducting all NSW RSPCA prosecutions via Mr Wozniak's law firm, Smythe Wozniak Solicitors.

Another peek into the boardroom "**boy's club**" revealed a Dr Wright, a vet from Goulburn in NSW, who it appears is constantly being called upon to conduct veterinarian inquiries, and/or act as an expert witness during these prosecutions on behalf of the RSPCA, via Smythe Wozniak Solicitors.

You will read more in "**All The President's Men**"; how instructing solicitors from Wozniak's law firm, hire QC's (Senior Counsel), and O'Donnell as Junior Counsel, to construct a three tier assault team, only seen with major murder trials, so as to get maximum fees in awarded court costs directly to that law firm. It further appears hundreds of thousands of dollars from public donations to the NSW-RSPCA, are paid into their accounts in legal fees as well.

Understand, the NSW-RSPCA is under a national charter; it is publicly funded by donations from, "**You the People**" and in 2007-2008, they collected a cool **\$33.9 million dollars**.

I am not the first to expose this NSW-RSPCA. NSW Greens' Senator, Lee Rhiannon brought this to the Parliament's attention in June 2004. You can read her transcript from Hansard here in this E-book. Obviously nothing was done then, as it is not being done now, for I have found this culture is still set well in place and thriving.

Be assured, the Queensland RSPCA organisation is running on par with different angles of control, alleged corruption, and greed, hereto all happening on your well-intentioned public dollar donations.

A world wide pattern of RSPCA Gestapo enforcement and persecution of those who can least defend themselves, as in Australia, is rampant and growing daily, a pattern which needs to be stopped right now, not tomorrow, but TODAY.

On the other side of this coin, we see a dedicated auxiliary of volunteers who collect funds, run RSPCA shops, all from their kind hearts and love of animals.

Shelters are staffed by caring people who understand that cruelty to animals is wrong and will not be tolerated. This animal caring by public funding is nothing other than an admirable societal trait.

The inspectorate (*Cow Cops or is that Claps*) need to be brought into "Check Mate". Clear the board, start again with true accountability; all staff vetted for credibility & competence and ensure they have all been successfully trained in animal husbandry. Most important are common sense and people skills, which should be basic requirements, scrutinised by a selection committee, not a CEO, or Human Resource manager. The "**Good Ol' Boys Club**", so well entrenched in today's management, should be removed.

How has this been allowed to happen you ask? By playing the public sympathy with those words '**Animal Cruelty**' to the tune of millions of dollars rolling into the RSPCA from TV, radio, and press advertising.

Then there is the legislation in NSW under, *“The Prevention of Cruelty to Animals Act 1979”*. This public-funded organisation, a registered tax deductible incorporated organization, with no shares, not a government body, a PRIVATE ORGANISATION, now uses this Government Act like a gun held to one’s head, to gain subservience on their individual command – total power over their victims.

Powers of police, in many instances, far greater, are bestowed upon anyone the RSPCA chooses to submit as an Inspector. This person is sworn in by a judge as a **“Special Constable”**, then becomes a potential loose cannon, with many morphing into what can only be deemed power-crazed, whilst assuming the roll of dictatorial authority you would expect from a Nazi Prisoner of War Camp Guard; responsible only to the NSW-RSPCA CEO and Board of Directors, who also enjoy these powers bestowed on their organisation by government. Powers they both wield with abandon and guard like treasure.

Total backing concerning cruelty issues, fact or fiction, are 100% supported by the Departments of Primary Industry (DPI), the Rural Lands Protection Board (RLPB), and the NSW Police, who all jump to attention following the RSPCA like lap dogs on those two words – “Animal Cruelty”.

Next time you consider donating to the RSPCA be very aware, there is good side, but the big dollars are consumed by the Dark Side of this organization. You will see from this factual story a 73 year old widow farmer who nurtured her cattle during severe drought times, animals she could call to her side by name. She was restrained by a police officer, *who received a commendation for his actions*, while the RSPCA, DPI and RLPB on the 14th June 2008, executed 48 head of her cattle, many nursing new babies, and left those baby calves without milk, or a mother.

You may ask, ‘What was their agenda?’ Consider your verdict as you read this account of the...[*RUTH DOWNEY INQUISITION*](#).

FOREWORD by Ellen Ash –Ruth Downey’s Sister

RSPCA HYPOCRITES

The RSPCA – in real life – shoots cattle and charges farmers with Aggravated Cruelty because their animals are lean, due to a prolonged drought, but are in no way disabled, disfigured, or anywhere near the point of death, but are – in fact - being fed at great cost.

There was a time when I believed that the RSPCA was a respectable and caring organisation. **Not any more.**

During the prolonged **drought in NSW**, which affected my sister, **Ruth Downey, for six years**, she managed to keep her cattle strong and healthy, though lean.

In February 2007 she had **difficulty getting good quality hay**, which had to be sourced from **interstate**. In a very short period her cattle lost condition. An unnamed person reported her to the RSPCA for having thin cattle.

Just one complaint is all it takes to have rude and belligerent ‘Inspectors’, accompanied by a cavalcade of vehicles, carrying people from government departments, laying down the ultimatum that cows must have a certain **‘beef-fat score’**. This may be fair enough for beef cattle but Ruth’s cows were all **dairy breeds** or dairy-cross, which can never acquire the shape of beef cattle, no matter how well-fed they are.

From March through to June the cows continued to improve. Cows which she had successfully nursed through pregnancy toxemia, which occurs during drought, recovered and produced healthy calves **without the need of veterinary assistance**, or any help from Ruth. When the RSPCA visited Ruth in May, and stated that this was their final visit, the whole family

heaved a sigh of relief. Common sense at last.

On **14 June 2007** Ruth had fed her cows with a protein supplement and was dressed ready to go to Tamworth for a dental appointment. She had prepared detailed instructions for her sister, on a neighbouring property, to complete the feeding a little later. Ruth was about to have breakfast.

Without any warning whatsoever the cavalcade rolled up bent on destruction. The RSPCA 'Inspector' shot 48 of her cattle, using a high-powered rifle.

RSPCA Australia has guidelines for humane killing which state that **large animals should be humanely killed by firing one bullet directly into the vital spot in the head**. A second bullet is fired only to ensure that the animal is definitely dead.

Many of Ruth's cattle were **shot from the side**. Several managed to rise again after being hit. **Some received 4 bullets**. The carnage went on for most of the day as many cows put up resistance, one even going through two fences before being shot.

Ruth's family, indeed the whole community, was shocked. **No-one could believe that the RSPCA would shoot healthy cattle** that Ruth had looked after so well and so lovingly throughout those long, unrelenting drought years. **But it happened**.

Ruth's cattle, though lean, had **shiny coats and bright eyes**. **They chewed the cud** contentedly. The 13 mothers that were shot had plenty of milk for their baby calves – some only 3 days old, and all others under 4 weeks. The calves were contented and full of life. The mothers were also contented and **licked their calves fondly**.

On 14 June 2007 the RSPCA photographed the cows only **after they were shot** and after their stomachs had been punctured to deflate their bodies.

RSPCA charges, if successful, lead to the owner being fingerprinted and branded **a criminal**. Heavy fines and/or a gaol sentence are imposed and the RSPCA then claims the cost of all their expenses.

Why are the RSPCA charges, which can totally ruin a person's life, heard only by a magistrate? **A jury should be an essential component of a criminal trial**.

The gang, including two vets, left late in the afternoon. **Not one person in the entire gang enquired if Ruth had any substitute milk for these little calves**, which had been chased around all day, as they attempted to go through the gate after their dead mothers. Of course she had nothing to feed them with: their mothers had cared for them completely. These massacred mothers included three of the four that Ruth had nursed through pregnancy toxæmia.

Rain has fallen since this appalling slaughter. Ruth could have been in a good financial position now. Instead she faces a costly court case, having been charged with *aggravated cruelty and failing to feed and water her cattle*. This is ludicrous. It is so ludicrous that the **RSPCA is employing SENIOR COUNSEL** as well as their regular solicitor and barrister in order to 'prove' their case.

What kind of country has Australia become?



The picture above shows the little calves two weeks after the killing of their mothers. By this time they had lost some of their good condition due to the trauma they had been through and the changeover to formula instead of natural milk. Ruth had to teach them how to bottle feed – an onerous job with 13 of them.

A local farmer generously donated \$500 worth of calf pellets.

The photograph below, taken on 3 July 2007, shows some of the calves drinking from the “cafeteria”, donated by one of Ruth’s many supporters



Visit my website to read more on the activities of the RSPCA.

<http://www.careaware.info/index.html>

NB This web site account was written before the trial began in March 2008.

MY INQUIRY BEGINS



With the very real possibility of losing her farm to pay court costs sought by the personal law firm “Smythe Wozniak Solicitors” of NSW-RSPCA president Andrew Wozniak, Ruth Downey is a very disappointed Australian.

Taken to court in the small NSW town of Narrabri, she was prosecuted by “Smythe Wozniak Solicitors” acting for the NSW-RSPCA, found guilty of 96 charges of animal cruelty brought against her by the NSW-RSPCA, (she was not convicted) and costs awarded against her to the tune of \$295,599.99, payable to “Smythe Wozniak Solicitors”. None of these dollars go to the NSW-RSPCA, just into the pockets of - **“All The Presidents Men”**.

Tiny in stature and very active for her 73 years, Ruth Downey has weathered more droughts than her accusers have even read about. She carried her stock over many decades through feed and famine by hands-on farming that

works, far exceeding text book-tinkers, or the pamphlet professors quoting from printed material.

Her 350 hectare property located in the Pilliga scrub of western NSW went from a glut of good stock feed to a full drought dust bowl, and she survived with her cattle for decades without RSPCA intervention and suffered very small stock losses, that is until in 2007 when the RSPCA marched onto her property waving Special Constable badges that started a four month “Storm Trooper” investigation/invasion.

Ruth treats her cows as people, personally naming and nurturing them with a day-to-day program of care. She even sold her NRMA shares when money was tight to provide extra stock feed.

For Ruth Downey to be charged with “aggravated cruelty” is ludicrous as a plethora of people will confirm. She would not know how to be cruel to an animal, let alone her own cows. This whole NSW-RSPCA inquisition into Ruth Downey stinks of something rotten and some of that rot, you will read about here.

Accusations, allegedly leveled by a disgruntled neighbour, initiated an inquiry by the brown shirt Inspectorate from NSW-RSPCA. This is what they specialise in, targeting a single, aged woman, running a farm on her own, with no resistance, or so they thought.

What they had not factored into their agenda was that Ruth Downey does not have a large family, all standing with her toe to toe, including professional and academic people; nor did they consider my team of national and international investigators, with their expertise, and our intelligence gathering and surveillance networking, that would put us right behind Mrs Downey. They also failed to consider the massive public reaction to their disgraceful mission, which pursued Mrs Downey right into court.

Ruth lodged an appeal with the courts, has a truck load of evidence not yet presented, some rejected if not glazed over at the initial court case, and the NSW-RSPCA has no idea how much damning evidence Ruth has yet to reveal.

Let me now take you through the inquisition that will make you cringe, and certainly shudder, if you have donated to the NSW-RSPCA, or are considering doing so.

WHO COMPLAINED to the NSW-RSPCA ?

From RSPCA documents presented to the court in the Ruth Downey case, all details of the complainant were blacked out. However the readable content indicated it was just one neighbour, established without requiring super intelligence. This person has allegedly conducted a vendetta against Mrs Downey for some time, which went as far as vandalizing Ruth's brand new water pump.

Mrs Downey received a progression of hate calls that became so bad she left the answering machine on rather than answer the phone. These calls are on file, and the voice is identified as the subject person who is strongly suspected of lodging the original complaint to the NSW-RSPCA.

To this day, the RSPCA has not, as far as we know, conducted an inquiry into this person's knowledge of cattle, or condition of their own stock.

We have uncovered more that will not be published, YET. However, you may at present form your own opinion.

FIRST VISIT FROM NSW-RSPCA

A load of 400 bales of good quality Sorghum hay arrived at Ruth Downey's property from which she fed the broken bales to her main mob of cattle. She was surprised to see the cattle recumbent on the ground, surrounded by un-eaten hay, when normally they would eat every scrap, then walk into the scrub for the night.

Later Ruth fed another good-looking bale to eight of her poorer cows, weakened from feeding their calves (*recently removed from those mothers*), then, after only ½ an hour, she again noticed hay still on the ground; also she noticed these cows started lazing about and looking sick.

Ruth immediately thought of poison, as this can be suspected of Sorghum hay. So, over the next two days she only fed what was left of her reserve stock bales from a previous delivery.

She contacted the Rural Lands Protection Board (RLPB) Vet, Shaun Slattery at Narrabri for advice in relation to her concerns. Although Ruth Downey had farmed the area for many decades with hands on experience, she needed confirmation of her suspicions.

Keep in mind, this VET, who plays a significant part in choosing the cows to be executed on Ruth's farm, knew from this contact alone, that Ruth was, and had been, feeding her stock, yet he became a significant RSPCA witness against Mrs Downey.

RLPB Ranger Heidi MacKay arrived on the 12th February 2007 to take samples of the suspect hay. At the same time NSW-RSPCA Inspector Richard Holland from their Broken Hill office also turned up.

As confirmed by RSPCA Inspector Ashton, an Ex-policeman, as you will read later, it is required that RSPCA Inspectors attending a farmer's property on a mission regarding allegations of cruelty, or such, ***must be accompanied by either an RLPB (Rural Lands Protection Board) veterinarian or a DPI (Department of Primary Industries) livestock officer at each inspection to a property to assess the stock.***

RSPCA Inspector Holland introduced himself to Ruth, without a vet or DPI Livestock Officer, stating, "The RSPCA has had a complaint of neglect concerning your stock - ***I am an ex-policeman and I know who you are – You'd be surprised at what I've found out about you.***"

This clearly presented to Ruth a threat, similar to stand-over tactics used by thugs and hoodlums. She was treated as a criminal from the start by this self-proclaimed adjudicator, and it was obvious to Mrs Downey that he enjoyed his work, telling her constantly that he had massive inquisitorial powers and can do what he likes, with low to zero control or accountability.

Prevention of Cruelty to Animals Act 1979 states:

28 Obstruction of persons exercising powers etc

A person shall not obstruct, hinder or interfere with any other person while that other person is exercising or performing any power, authority, duty or function conferred upon that other person by or under this Act

This explains their Nazi treatment of people with this open ended power of a GOD

Holland photographed cattle with particular attention to cows, whose calves had just been weaned from them, in a small paddock near the house.

Singling out one cow called "Blouse", that Ruth had been nurturing, this EX-Policeman-come RSPCA inspector, looked at a swelling under her jaw and recited, **"That indicates a sign of malnutrition"**.

Mrs Downey explained, ***"It comes from muscle strain. That cow was especially assiduous at licking up the grains that fell onto the ground from the last hay delivery, which was a failed oat crop loaded with grain, and that swelling will disappear"*** (which it did)

(Note: On a later visit to Ruth's farm by Inspector Ashton, also an EX-Policeman, she drew his attention to "Blouse" noting that her swollen jaw had recovered. No photo was taken of this improvement, predicted by a farmer experienced in the husbandry of cattle.)

Inspector Holland, as he was leaving her property stated; ***"Your cattle are all score 1, and the next grade is ZERO – and that means DEATH. The matter will have to be taken further and a different person will be coming next time"***

QUESTION: ***"How does this EX- policeman become an EX-pert to assess a farmer's stock, not to mention a leading RSPCA witness in court, and yet he did not have a vet or DPI Officer present?"***

Inspector Holland had a conversation with RLPB Ranger Heidi MacKay, apparently meeting her in Pilliga, seeking support it was suggested, for his assessment of the cattle. He did not bother to see the 25 weaned calves Ruth had in the house paddock; RLPB Ranger Heidi MacKay did see them and commented that they looked all right.

Continuing his overbearing manner of intimidation, Holland started prying into Ruth's personal life with questions regarding her date of birth, where her sons lived, their details, and why they were not helping her. He said he could find out these details at any time. Ruth suggested he do that as she was not telling him.

Meanwhile Slattery, the RLPB vet, had analysed the suspect hay and advised Ruth to feed her stock very small quantities to give them time to adjust to this **contaminated hay**. This Ruth did, which meant her cattle-feeding was well below requirements and hence they lost condition, but under her personal care, they did not die. The supplier later replaced some of this toxic hay with uncontaminated product.

Concerned with the attitude and allegations, not to mention the intimidation delivered by RSPCA Inspector Holland, Ruth contacted Tenterfield RSPCA where she was directed to Don Robinson who was not available from the 15th to the 19th February 2007. Finally, after a long wait on the phone, she spoke with NSW RSPCA Senior Inspector David O'Shannessy in Sydney.

He informed her that Inspector Holland's superior would be at her property in the morning of the next day being the 20th February 2007.

SECOND VISIT FROM NSW-RSPCA

Inspector Garry Ashton phoned Ruth on the 20th February 2007 stating he was late because of a traffic accident near Dubbo, indicating he was on his own.

When he arrived at the property, Ruth went out to find Inspector Polly Jackson, from Dubbo RSPCA, Juliet McConochie a beef cattle officer with the department of Primary Industry (DPI) from Walgett, and Drought Support Worker from Dubbo, Pip Brown. Ruth was not impressed by being ambushed by these three other uninvited people who had not been previously mentioned nor invited onto her property.

Ruth took the entourage to her stock yards, where they viewed the cattle, and were shown the supplementary feed which she was providing.

McConochie actually helped Ruth mix the feed, and then assisted with the distribution to the cattle. As an expert, McConochie was not familiar with this commonly used product, which amazed Ruth. Furthermore, she described the entire mob as "emaciated" which reflected her lack of knowledge in respect to the varied breeds of cattle she was inspecting.

Ruth had 80 head of cattle and calves, which she admits were in poor condition, when the markets were only moving fat young stock. She needed to care for her cattle until the market viability returned.

She told Inspector Ashton the cattle were her only income along with the aged pension and that she had not sold any cattle since May 2006 when she moved (sold) 40 head.

From her vast experience of drought farming over decades, she explained that the Jersey cross beef cattle were very lean due to rearing calves, which she had weaned because they were draining their mothers too much. Since then the cows started to improve, helped by the protein supplements that she was giving as well as the hay.

Ashton stated, "You can get a bank interest subsidies", and "Government money is available to cart unviable animals to slaughter".

Ruth further explained that this was not an option and she was going to keep the cattle alive as most farmers had been doing over the past seven years, hopefully, with as close to zero deaths as possible in the unprecedented drought

Ashton's answered, "**Drought !..Drought !.. I am sick of hearing about the drought**"

This ranting retort was far from what a person representing the Royal Society for the Prevention of Cruelty to Animals would be expected to iterate.

He followed this statement with, "What do you want the RSPCA to do for you?"

Ruth replied, "Well you could buy me a load of hay"

He replied, "**Oh we used to do that, but we don't do it now because we haven't the funds**" – or words to that effect. This was confirmed by our inquires through a source within the Department of Primary Industry (DPI) under NSW Minister Ian McDonald. They were supplying feed to drought affected farmers, but that funding has been cut. The RSPCA comes

under his department's jurisdiction, even though it is a private organisation - definitely not a government department.

Showing no interest in the cattle, where a true stockman would have moved amongst the stock and noted that they were contentedly chewing their cuds (this does not happen amongst starving beasts; lack of cud-chewing is the first sign that an animal has a problem), their eyes were clear and bright, their noses clean, and their coats were soft and shiny. Contribution to conversation by Polly Jackson, the Dubbo RSPCA interloper, was near zero.

One of the inquisitors made reference to Ruth Downey – ***"I can see you are emotionally involved with your cattle"***

Ruth clarified that she was very attached, but that did not indicate that she was inept or incapable of sound judgement when needed. She stated that her cattle were named and responded individually when she called them.

Further, on the 30th December 2006 and on the 2nd of January 2007, Ruth had two cows HUMANELY PUT DOWN – one cow had cancer; the other had internal problems that worsened daily. It was one bullet per cow, no blood and instantaneous death, far from the RSPCA's demonstration by Ashton in June 2007, which was appalling, inhumane and disgusting as you will read later.

Ashton commented, **"I can see you are trying with care and feeding of your cattle."**

Ruth replied, **"I am not trying – I am succeeding"**

Ashton demanded to see the water supply yet drove past the water trough that is filled three times a day from a pump, and took no notice of it, nor of the dam.

Departing from the property, Ashton stated to Ruth that they would be back in six weeks for another inspection, and if the cattle had not improved in condition they would be ***humanely destroyed***.

Ruth was shattered, and stated, **"After what you had just seen, my concern and the feeding program I have in place? Yes the cattle are lean, but healthy and being fed with all that is possible to be done in this dreadful drought. You have seen the water, the fodder, and that I am looking after them! You have been here TWICE"**
Ashton replied – "Don't you want to talk to us?" – Ruth replied NO and drove off calmly.

ASHTON VISITS RUTH'S SON ADAM

From contemporaneous notes made by Ruth Downey's son Adam, I have gleaned the following;

Around 12.30pm on the 21st February 2008, Adam went to the front door of his Tamworth home because of the loud and aggressive knocking.

Opening the door he was confronted by a badge-wearing RSPCA officer who asked for Allan or Adam Downey, to speak about the situation with his mother.

Not allowing him access to the house, Adam spoke with Ashton at the front of the property.

Aston stated there was a problem with her cattle – a lot were not good; what could be done? Adam immediately made it plain that he thought there was not a problem with his mother's cattle, in fact Adam had a problem with the process and methods applied with this RSPCA investigation thus far; the initial investigation by RSPCA Inspector Richard Holland was so intimidating and inappropriate that his mother had lodged a

complaint about his visit with the Tenterfield RSPCA. Furthermore Adam considered Ashton's visit with 3 other representatives on the previous day (20th February 2007) was inappropriate and intimidating and was like an "ambush" for a 71 year old woman who expecting to have a one-on-one conversation with a single RSPCA representative.

Ashton claimed that the RSPCA representatives which Mrs Downey spoke to in Tenterfield were **"only volunteers and did not know what they were talking about and were not qualified to give out such advice on such matters"**. He further claimed they should have directed Mrs Downey to Sydney Head Office.

Adam quizzed Ashton as to why such people were in such a position? He replied, **"These people are just volunteers and we don't have Government funding and they don't get paid and they don't know their job and shouldn't be giving any kind of such advice"**.

Adam informed Ashton that even with his University Degree in "Natural Resources" he would not even begin to tell his mother how to feed stock, that she had lived through all kinds of droughts, feeding cattle, sheep and horses and she would be qualified to write such feeding programs.

To this Ashton agreed and said, "Yes she would, and many times organisations have asked farmers and people in your mother's position to help with such programs. He further stated, that **what mum was doing was "perfect" and "ideal" – but "could be more"**.

When prompted by Adam, Ashton stated that the possible outcome of options for his mother were that she accept and follow a purpose-designed feeding program from Tamworth DPI, or risk having a percentage of the cattle terminated if they showed no improvement with, or without, the application of the feeding program. As well she risked prosecution for "not providing adequate food sources" (or words to that effect).

Ashton quoted Ruth's cattle as the worst he had seen in his 5 years at the RSPCA even worse than the Brewarrina cattle case. **(This concerned RSPCA Inspector took 5 weeks before he returned to Ruth's property)**.

Obviously Ashton did not know that Ruth had installed watering troughs in the feeding yard, pumped from the dam to keep the cattle away from the muddy mad edge where they could get bogged and die.

Ashton became very defensive over many other issues that Adam raised during the conversation concerning the RSPCA's investigation. Adam asked, "Did you have my telephone number and if so, did you attempt to ring me prior to your arrival on my doorstep without any notice?" Ashton replied, "No... I did not. You might not have been here."

Ashton went on to say, that was how he operated, "That is just me, I prefer to speak to people face to face" and "No, I do not make many phone calls for appointments until I meet someone face to face" – but then he offered to phone Adam regularly about the situation.

Ashton later contacted Adam by telephone, yet no-one had given him either Adam's telephone number, or his residential address. During a visit to his mother's farm, Adam asked Ashton, if he used Police resources to obtain his private details. Ashton at first acted dumb as if he did not hear the question. When asked a second time by Adam, he smartly replied,

"I don't have to tell you that, I can't answer that, I'm not going to tell you."

OTHER VISITS FROM NSW-RSPCA

March 1st 2007, Inspector Ashton, in the company of the Narrabri RLPB Vet Slattery, arrived at the Downey property at approximately 2.30pm for an unannounced visit.

(From contemporaneous notes made by Adam Downey)

Ruth's son Adam was present at the farm and he asked Ashton the nature of this visit.

Ashton replied, "This visit is not classed as an official inspection of the cattle, but is solely to offer and deliver the 'specialised' beef livestock feeding program (designed by Walgett DPI Beef Livestock Officer Juliet McConochie) for approximately 80 head of Ruth's cattle.

*Ashton then explained, "The presence of RLPB Vet Sean Slattery is necessary, as either a Vet of DPI Livestock Officer needs to be present at each inspection of the cattle, or visit to the property to assess the cattle."
(Mal Asks: Now was this an official visit or not but at every turn Ashton confirms he is inconsistent, some may think a liar of the first order suits him better)*

No Vet, or DPI Officer, was present during the first RSPCA visit by Inspector Holland when he assessed Ruth's cattle as being a score 1 out of 5 –

- 1. Where was Mr Slattery's expert assessment on this visit?*
- 2. Why did the RSPCA Inspector not comply with RSPCA requirements on this official visit?*

Ashton informed Adam,

"I will be filming video footage of the stock."

(This was not an official visit; just a document delivery, stated by Ashton !)

At this point Adam immediately informed Ashton, "You do not have permission from myself, or my mother to do so."

Ashton's replied, That does not matter, I'm the RSPCA and we have the power to do that and I can, and I will film them."

After informing Ashton that he had made an official complaint with the RSPCA concerning Ashton's invasion of his home in Tamworth on the 21st February, unannounced, and undertaken without Adam's permission, Ashton simply replied, "I can go anywhere, or do anything in order to get additional information about the case."

Adam stated to Ashton, "You outlined to me that day that the RSPCA has the power to enter property, or premises unannounced to act on a case, which is ONLY when the RSPCA receives an official complaint against a person and their stock, with the name and address of the complainant – which did not apply to me, or my residence in Tamworth, with no stock present".

Ashton's pathetic answer is not worth the effort of publishing. He was out of order "FULL STOP".

Ashton began video taping and invited Adam to speak on the video to make statements about the cattle's condition and feeding routines. **He did not offer the same courtesy to Ruth Downey who was in fact, the very subject of the complaint.**

Adam confronted Ashton as to why he had not asked his mother to comment and give her the opportunity on the video.

Ashton replied, **"I don't have to, she's not here, I'm not dealing with her, and I'm talking to you"** (unbelievable)

Ruth in fact was in conversation with the RLPB Vet Slattery no less than 100 metres away. Adam did mention on camera that permission was not granted to the RSPCA to video and made some generic comments about the condition of the cattle.

Ashton then informed Adam, **"As a legal obligation you should be careful in what you are saying on video as anything you say can and will be used against you in a court of law". This was after he had invited Adam to speak and had recorded his words.**

(NOTE: This is straight from the Nazi Party Gestapo handbook on fabrication and staging evidence for concocted investigations)

Ashton moved toward the house to video some of the weaned calves and stated that ALL the cattle in the immediate area of the yards, where they were being fed, watered and cared for on a daily basis, were being scored as a No1 on a Beef Livestock scoring system with "0" being death and 4 of 5 being fat cattle. **(NOTE: These cattle were DAIRY cross cattle different type of cattle)**

Adam immediately, strenuously and continuously argued against this classification as some cattle were clearly in a lesser condition than the majority of the herd; how could they ALL be score 1?

Ashton then backtracked and claimed that some of the main herd were in fact a No2 score. This was only after Adam's persistence and yet another example of this person's contradictory behaviour and attitude we have seen from the RSPCA all along.

Further inconsistency by Ashton was his reaction to his question, **"Are the 11 head of cattle still on the other block of the property being fed daily?"**

Adam replied "yes"

Ashton stated, **"Those cattle were score 3 so I will not have to inspect them again."**

Now this RSPCA sanctioned inquisitor had taken the word of the accused persons son; he was not willing to inspect them again, which only strengthens the case for his inadequate protocol, and shows his inept and irresponsible attitude concerning these cattle which may have 'slipped or improved in condition'.
(end of Adam Downey's contemporaneous notes)

During this visit Slattery observed the birth of a healthy calf delivered without a problem; no afterbirth retention, which is often the case during hard times for the cow.

When he finished video-taping, Ashton produced, and handed to Ruth, a "Personalised Feeding Program" by DPI Beef Specialist, McConochie (from the previous visit with Ashton) that contained facts and weights that were wrong for the subject cattle, **(Dairy not Beef cattle)** that if implemented could have caused problems.

Refusing to sign for this document, Ruth maintained her feeding program, which had proved successful over decades of periods where drought had affected cattle on her farm, was perfectly appropriate.

Ashton informed Ruth he would be back on the 14th April, and kept stressing that date.

(The following information is from contemporaneous notes made by Adam Downey)

RLPB Vet Slattery is quoted as saying to Ruth, and her son Adam **that in his professional opinion, "Mrs Downey has always done the best for her stock."**

With concern running high for his mother's health and well-being over this RSPCA inquiry, Adam Downey confronted Ashton asking, **"Why is the next visit to be a 6 week delay to judge my mother's cattle's condition, which is a complete contradiction to the statement you made to me at my home that my mother's cattle were the worst you had seen in your 5 years at the RSPCA, even worse than the Brewarrina cattle case?"**

Ashton became very agitated and said, **"That's a stupid question...that's a stupid question"**. Adam repeated his statement again beginning with **"NO IT'S NOT..."**. Ashton, now infuriated, said, **"That's a stupid question and this period was to give your mum a chance."**

Challenged again, Adam asked of Ashton, **"Why have we not received any official statement of events in writing after 3 visits and 3 weeks of the investigation?"**

Ashton replied, **"That's not how we do things and you will not receive anything in writing until a charge is laid."**

Adam stated, **"Our solicitor seemed concerned as to why we haven't received anything in writing up until this point."** Ashton was now displaying signs of extreme discomfort.

Ruth pointed out to Ashton that she had installed a watering system to the troughs from the dam to keep the cattle from bogging in the mud at the dam.

Ashton seemed totally uninterested and replied, **"Whatever"** and turned to leave.

Adam asked, **"Did you say, WHATEVER?"**

Ashton replied, **'Yes mate'** in a very condescending manner to which Adam again reminded him how unprofessional his investigation had been.
(end of Adam Downey's contemporaneous notes)

March 4th 2007, Ruth decided to take photographs of both cattle mobs, the ones videoed by Ashton and the ones he did not see again, yet assessed as "Score3".

The "Score 3" cattle quoted by Ashton showed no difference in appearance to his "Score1" assessed cattle video taped.

INTERESTING VISIT BY CLARE AND HUSBAND RUSSELL

Ruth's sister Clare and her husband Russell Roach, a retired stud cattle breeder and stockman, had been informed as to the RSPCA's persistent visits to Ruth's farm, by men

both of whom were ex-police officers, now RSPCA Inspectors, both using stand over and intimidating tactics, flashing authority badges while stating that they had total power over people during an investigation.

Clare decided to write to the RSPCA, whom she and her husband had supported financially for many years, and to speak with Ruth's son, Adam Downey, who had been at one of these RSPCA inspections. From information gleaned they decided to visit Ruth and see for themselves what the situation was with her cattle before writing the letter.

(From contemporaneous notes made by Clare Roach)

March 21st 2007, Clare and Russell arrived at Ruth's property "Rosleigh" around 2.30pm just in time to help Ruth feed the cattle.

We helped put out hay in Connell Paddock, and a bucket of special high protein feed mix for one cow which needed extra.

We then put hay out to the cattle in a paddock close to the stockyards. Ruth was very particular that the ground where we placed the hay was clean, and there was sufficient space between the biscuits of hay so that each cow had a fair go. We also put out the ten molasses blocks we had brought with us. It was 6.30pm when we had finished.

Next morning we again helped Ruth with the feeding of a very high protein mix. This took several hours as Ruth fed the animals with individual buckets, paying careful attention to any needing extra feed.

We were impressed by how docile and gentle the cattle were; each one came as its name was called, walked into the feeding yard and knew its bucket and position in the feeding line; if one attempted to rob its neighbour of feed, a stern word from Ruth put a stop to that.

The cattle were undeniably thin, but they are dairy based, with a strong Jersey influence in their cross breeding, and after all, this drought has been around for years, so it was no surprise. They were however strong enough to run and I noticed some having a playful spar.

They were alert, bright eyed and had shiny coats. I made a point of stroking several, and their skin was soft and silky. They chewed their cuds.

We took photos of the cattle.

Russell has worked with cattle all his life milked Jersey cows when his parents ran a dairy and kept a milker on our farm. He was a cattle breeder until retirement in 2000.

*With his lifetime of experience with cattle, he was emphatic that Ruth's cattle, although poor, were not suffering from neglect and were basically strong and healthy, and **DEFINITELY NOT** starving to death. They were redeemable and could be brought through this drought!*

Returning home on March 22nd, I immediately wrote letters to the NSW-RSPCA president, Andrew Wozniak, CEO Bernie Murphy and chief inspector David O'Shannessy, giving an honest appraisal of Ruth's cattle and including a photograph in each letter.

I received no reply from the President or CEO.

*On April 26th I received a reply from the Chief Inspector dated the 5th April and posted on the 23rd. The writer indicated that if the cattle were improving then the **"RSPCA is not obliged to take any further action."***

More RSPCA visits

Ashton contacted Ruth's son, Adam, to inform him that he was going to her property on the 14th April 2007

Adam travelled from Tamworth to Ruth's property to be there for Ashton's visit. Ashton, however, did not keep this appointment that he had made, so on the 15th, Ruth's son was obliged to return to Tamworth. As Adam neared Tamworth and came into mobile-phone-range, his telephone message bank was activated to inform him that Ashton called and would not be at his mother's farm until the 16th.

In the balance of probabilities, and with RSPCA Inspectors not keen on fronting healthy young men face to face while they witness the persecution of their Mother, it is fair to consider that Inspector Ashton knew that mobile phone reception is zero in the Pilliga area, and having such knowledge, it is also possible for a fair minded lay person to come to the conclusion that Ashton, by such knowledge had stealthily removed a witness and hence a potential threat to his agenda in Pilliga.

April 16th 2007, The previous night (April 15th) Ruth contacted her sister Clare and informed her there was to be an RSPCA visit the next day. Clare, knowing that Adam had already returned to Tamworth, decided that she and her husband Russell would accompany Ruth's other son Alec, who would video the event, to Ruth's "Rosleigh" property for the RSPCA inspection.

Ashton arrived, again with RLPB Vet Sean Slattery and Walgett DPI **Beef** (not dairy) Cattle Officer, McConochie.

(More from the contemporaneous notes made by Clare Roach)

On the day of the inspection we drove out from Tamworth in Alec's car.

Russell and I both noticed the cattle had improved since we had seen them in March.

Three people came to inspect. They did not introduce themselves to Russell or myself, so we did not introduce ourselves. During the Inspection I deduced it was Ashton (RSPCA), Slattery (RLPB) and McConochie (DPI), which later Ruth confirmed.

Slattery walked around the cattle as Ruth answered his questions. Russell (retired cattle breeder and stockman) felt Slattery lacked experience and knowledge of cattle eg: he thought one cow had a dislocated shoulder, whereas Russell realised it was simply because she was old (about 20years) with a large frame and lean condition.

The DPI officer stood outside the yard and endeavored to assess the cattle from a distance.

*When I suggested that for an accurate assessment she needed to be closer, and should actually stroke the animals' hides, **she refused to do so**, although she condescended to get into the yard with the cattle. She appeared to be reluctant to speak, but did answer some questions, at all times avoiding eye contact with me.*

Alec videotaped the inspection which appeared to displease Ashton who paid little attention to the cattle. He took video and kept asking about the cattle on agistment and the ones sold.

*On camera I asked Ashton, Slattery and McConochie if they thought the cattle were actually suffering pain. ALL refused to give a direct answer in either the affirmative, or the negative.
Slattery did remark, "The cattle are showing signs of improvement."*

(end of notes)

Slattery was videotaped while inspecting the toxemia cow named "KAY", with her name visible on her ear tag. He stated that **she would probably recover**.

This cow, with the very distinctive ear tag revealing her name, did improve from her condition shown on the videotape. Apart from a cow with an abscess, she alone was spared from Ashton's execution; she was not shot on the 14th June 2007. The video and the audio on this tape was evidence of her improvement. Ashton would have been well aware that if he shot this cow the video evidence could have been used against the RSPCA.

Ashton was instructed by Ruth to contact her regarding any future visits to her property by the RSPCA. His acknowledgement of this was recorded on video, yet he returned unannounced on the 16th May 2007, again in company with Slattery and McConochie and another male person called Tom.

May 16th 2007, Ashton said they were on their final visit, obviously comfortable that this inspection was not subjected to independent witnesses being present to record their so-called inspection on videotape.

Ruth declined to accompany them as she was pumping water to the troughs and feeding the stock.

THE RSPCA SPY SENT TO GATHER INTELLIGENCE

Pilliga police officer, Constable Mark Mills admitted in evidence to the Narrabri Court that he lied to Ruth Downey when he came out to her property just days before the military styled attack orchestrated by the RSPCA.

Constable Mills said Ruth Downey "the purpose of his visit was to enquire whether she had experienced any trouble with stray dogs on her property."

"Some people had experienced problems with dogs attacking their sheep"

Ruth did not have any sheep and therefore had not had any problems nor had she seen any wild dogs.

Now this devious detective started hunting for information disguised as chit chatting conversation.

Ruth mentioned that she was going to the dentist on the Wednesday in Tamworth leaving early in the morning, and said that her sons would not be on the property, plus other morsels of information useful for the RSPCA's coordination of their assault which was yet to come on the Downey property.

No better time to strike than when this 73 year old lady was away for the day, not returning until mid evening. **NO INDEPENDENT WITNESSES.**

INITIAL SOS-NEWS INTELLIGENCE GATHERED

My intelligence sources established that during the months leading to the execution of Ruth Downey's cattle, the RSPCA, the DPI, the RLBP, and the POLICE, all colluded (*now established in subpoenaed documents*) to engage in a military-style operation on the Downey property. Neither compassion nor help was given to this farmer or her cattle. On the contrary, she was the victim of a premeditated murder of her cattle and the diminishing of her meager income by the loss of the 48 head which the RSPCA needlessly shot.

With intelligence gathered by Constable Mills, colluding emails, and a cone of silence established with contractors, colluding government bodies, and the command headquarters of the NSW-RSPCA, these agenda driven "Storm Troopers" set their plan into action for the raid to be conducted on June 14th 2007.

A backhoe and operator to dig a trench on public land designated as Traveling Stock Route (TSR) just outside the Downey property was obtained, as was a truck and driver to remove the executed cattle; these men apparently remained for days on standby, sworn to secrecy and paid for by whom? The RSPCA Public Funds or Government; just waiting to know what date and get the command to begin the invasion.

The hole was dug on the TSR. The army moved out on the 14th headed for the Downey property in the NSW Pilliga Scrub.

My inquiries into Ashton, reveal that, about one week before this execution day, he was visiting a police station and made a departing comment in the presence of several officers, including my source: **"Gotta Go...Got Cattle To Shoot"**

EXECUTION BY ORDER OF THE RSPCA

June 14th 2007, Arising very early in the dark, Ruth Downey mixed the supplementary rations for her 24 pregnant or lactating cows which received additional feed. Most had just had calves and she was determined that her trip to Tamworth would not mean that they would miss out on their regular feeding.

Her sister, Anne, had agreed to come to Ruth's farm and distribute the hay during the day. Ruth wrote detailed instructions to ensure that in her absence the cattle would receive their feed exactly as she would have given it to them.

Arriving later than the appointed time, around 8.30am, Ruth's sister May McKeown was ready for the long-standing dental appointments that she and Ruth had in Tamworth, some four- hour drive from the farm.

(Events as per May McKeown's written statement)

Arriving in the small town of Pilliga I noticed some heavy machinery vehicles parked in the street - one item being a low loader truck. I did not take a lot of notice; however it crossed my mind to wonder what they were doing there. I continued on my way, and noticed there were a number of four wheel drive vehicles parked in front of the Pilliga cemetery.

After approximately 3 kilometers, I turned into Ruth's boundary gateway, continued along the track to the house and towards a second gate.

A short distance before this gate I noticed vehicles behind me and recognised them as the vehicles I had seen in Pilliga.

As I pulled up in front of Ruth's house, I saw that the vehicle in the lead had the letters RSPCA on the side,

Knowing that this group had been harassing Ruth for months (usually unannounced) I walked inside and told Ruth they were there.

Ruth recalls she went outside and was greeted by Inspector Ashton and Constable Mills, DPI Beef Livestock Officer Juliet McConochie, RSPCA Inspector Ann Jackson and RLPB Vet, Shaun Slattery. There were another three people there as well.

Ashton, taking charge of the operation, said to Ruth and her sister May;
"Do not speak to any of these people with me and they are not to speak with you. You are only to speak with me, or the Police Constable."

"We are going to weigh and assess the cattle and 'destroy' anything that does not pass the assessment."

No official RSPCA paperwork, or any documentation was presented to Ruth, confirming, or condoning this action....**NOTHING !**.

(May McKeown's statement continues...)

I asked RSPCA Inspector Garry Ashton what if Ruth did not have any cattle yards? Ashton replied, " We have portable yards of our own that we can use".

He also said that he was recording our conversations. However, from my observations, Ashton only recorded what he wanted and turned the recorder OFF when he did not want our questions recorded.

I asked Ashton, "Why didn't you let Ruth know you were coming to her property?" He replied, "I did not want anyone to know... she might have shifted the cattle".

I pleaded with Ashton and Mills to leave it until tomorrow. I thought this would give us time to try and get some help.

I also told Ashton we had an urgent dental appointments in Tamworth, to which he said, "There is no reason you can't still go... our plans are made and we cannot change them."

Ruth was trembling and I put my arm around her to try and comfort her.

I said to Ashton and Mills, "What if you give her a heart attack, or a stroke?"

Constable Mills said, "That would make no difference, they would just continue with what they are doing unless I DECIDE TO STOP THEM".
(The Caring Cops Comments – well done officer)

Just minutes before, Constable Mills had informed me, "THE RSPCA IS A LAW ABOVE THE POLICE AND I **HAVE NO CONTROL** OVER WHAT THEY DO."

(Mal's Comment: Remember this bloke got a Police Commendation for this work he did for the RSPCA's execution. Not bad considering he was there to represent both parties under the law)

As the gang of 8 proceeded to dismantle Ruth's cattle-yard fencing to put in their weighing scales, we were told to keep out of the yard. Ruth told me to go to the house and call her son Alec. I did this and explained what was going on and said they were in the process of setting up their weighing scales in her yards.

Alec told me to take the phone with me to the cattle yard as it would transmit to the house that far.

I also called Anne, another sister, who arrived about 30 minutes later as she lives close to Ruth.

I looked at the cattle in the yard. Although drought-affected for the majority of the last SEVEN YEARS, they were all strong and healthy. A number were rearing strong and healthy calves. The calves by their condition were receiving plenty of milk from their mothers, a sign that their mothers were doing well; otherwise they would not produce the milk for them.

*I especially noticed one Jersey cow that was rearing a very nice fat calf. She was lean, but strong. It was **OBVIOUS** that she was converting her feed to milk – as any good milking cow will do.*

*I approached the Narrabri RLPB Vet, Shaun Slattery and asked him, when assessing this cow, would they first note the calf she was rearing. He refused to answer me. Ashton AGAIN informed me, **"YOU ARE NOT ALLOWED TO SPEAK TO ANYONE EXCEPT ME AND EVERYONE HAS BEEN INSTRUCTED NOT TO SPEAK TO ANY OF YOU."***

*(Mal's Comment: **"Again from the Nazi SS library of controlling dictatorship to maintain the agenda – SILENCE THE PEOPLE"**)*

*Alec rang me and said that he thought these people had no right to use Ruth's cattle yards. I called out to the Gang of 8, **"I want documentation to tell me that you are legally able to use the yards. You are not to put one animal over the scales until such a time as I have seen this permission in writing?"***

Constable Mills replied, and I quote:

"THEY CAN USE HER YARDS AND ANY OF HER FACILITIES, INCLUDING HER MOTOR VEHICLE, BECAUSE I HAVE SEEN IT IN WRITING SOMEWHERE – IT IS BACK AT THE POLICE STATION."

*I REPEATED, **"I want to see it."***

Constable Mills made no attempt to move, or go back to the Police station in Pilliga to get it.

*Constable Mills then stated, **"The others have it."***

No paperwork eventuated and there was about an hour's delay of the proceedings.

I phoned and spoke to the solicitor asking about the use of the cattle yards. He said he would get back to me. In the meantime I was trying to get a vet to come and give another opinion on the condition of Ruth's cattle, which Ashton was keen to destroy; I believed nothing was going to stop him; it all seemed premeditated.

I spoke to the solicitor again, who wanted to speak with Constable Mills, but Mills took no notice of the solicitor and used the phone to call his boss. Again our solicitor called

and asked to speak with RLPB Vet Slattery. Constable Mills refused to take the phone over to him.

Constable Mills then said that they were not going to use Ruth's cattle yards.

(Mal's Comment: "At no time did these mythical portable yards Ashton referred to ever appear. It would seem that the information concerning the use of a farmer's yards for their weighing was correct, and both the commended constable and Ashton were caught yet again telling porkies.")

Meanwhile the gang of 8 had mixed up all the cattle that Ruth had segregated according to their needs, and put them into the outer yards. The inner yards are of steel construction and can be re-configured; the outer yards are of fencing wire made of cheaper material.

I said to Constable Mills, "They are still using her yards."

He said, "They are not using the stock yard, that is not a stock yard, the stock yards are MADE OF STEEL."

He then said to Ruth, "They are no longer your yards; they now belong to the RSPCA"

Here I need to break from May's statement.

The NSW-RSPCA Inspectorate Department normally chooses their targets well, seemingly single women, in senior years, and living on their own. However they did not choose wisely with Ruth Downey, whose frail stature houses a gladiator. Nor did they expect to encounter her family of well-educated people, nor her army of good neighbours and friends who know this lady, and her cattle, and her total dedication to her animals.

NSW-RSPCA ex-Inspector, boardroom puppet, spin-doctor, and current CEO, Steve Coleman, reflects history within the organisation that we will not touch on here, runs the well-oiled publicity machine. Among our extensive inquiries into him, this one is a gem published by the *Daily Telegraph*; Now consider he had never set foot on Ruth Downey's property.



"Coleman's Dead Cattle Walking" - taken 16th May 2007 one month before "Nita" was shot

Here we go with the voice of experience...

RSPCA deputy CEO Steve Coleman said it was one of the worst animal welfare cases he had seen in the 16 years he had been with the group.

"They were dead cattle walking," Mr Coleman said.

After a complaint was made by a farmer in the district, he said independent vets as well as officers from RSPCA, Rural Lands Protection Board, Department of Primary Industries and police went to Mrs Downey's property several times to discuss her options including transport subsidies to cart the animals to the abattoirs.

He said the RSPCA did not make decisions such as these lightly.

"We are often accused of being cowboys but these are not easy decisions and it's awful for everyone involved," Mr Coleman said.

"It's not surprising some animals are in these conditions considering we are in drought. You have to commend farmers in this drought they are good at what they do in terms of welfare, this incident is in the minority."



THIS! Mr Coleman is an example of "Dead Cattle Walking" - not ANY ONE of Ruth Downey's cows looked like this starved animal.

I continue from May McKeown's statement;

Moving amongst the cattle, Shaun Slattery, the RLPB vet, sprayed certain cows with coloured paint. One cow I especially remember, named 'Rose', was in good condition and noticeably very pregnant; she gave a kick when hit with the paint and a skip as she ran away.

Not knowing what the paint was for I, and sister Anne decided that it meant she was safe, because she was such a good cow.

"Ashton later shot her, also killing her unborn calf."

The paint did not seem to matter to Ashton with his shooting spree.

THE SHOOTING

All the cattle had improved since February. Ruth had sold 13 cows and heifers as well as 2 bulls which she did not need. She had also agisted 12 Jersey cows and 22 calves, which had been weaned because they were lowering the condition of their mothers. This reduction of the herd was done two months before the shooting.

On 14th June there was an obvious supply of hay, sufficient to carry the existing stock for a further week, as well as a load of hay on order and due within a few days. Unbeknown to Ruth, 100 bales were already well on the way, as the supplier had sent a small interim load to ensure that she did not run out if rain should make the road impassable. Ruth had no idea that death for her cattle was as close as they stood around expecting their usual feeding.

May went to the house because she did not want to see the killing.

She could never stand to see any animal killed, although on occasions when she had an animal that was suffering, and there was no person to put it down, she could do it with ONE shot into the vital place, with barely a movement from the animal and no blood loss.

Deciding that this shooting needed witnessing, May called the local newspaper, "The Courier", in Narrabri and was told someone would be sent. It was a 60k drive from Narrabri. While waiting at the crossroads to guide reporter JJ Robinson to the property, May could hear the gunfire which she said "resembled a war zone". The reporter stayed at the yard witnessing and recording the final stages of this bloody massacre.

May further stated that as she returned past the killing yard she observed the gang chasing up another victim; however this heifer was putting up a fight for her life and kept running away until Ashton finally shot her. This was an inhumane, unnecessary destruction of life.

I reflect again on NSW-RSPCA CEO Coleman's unsighted description of the Downey cattle his staff executed:

RSPCA deputy CEO Steve Coleman said it was one of the worst animal welfare cases he had seen in the 16 years he had been with the group.

"They were dead cattle walking," Mr Coleman said.

Ruth Downey Relates:

"It was shocking, unbelievable and traumatic seeing all those docile cattle that answered to each of their names, when called to feed, now waiting in the same yard as they did every day, not knowing they were about to be so callously brutalized. It was nothing short of watching murder. They had never had a human hand raised against them."

"Listless and Lethargic, starving to death, too weak to stand", were the terms used by the so called DPI and RLPB experts called to court as witnesses by the RSPCA. They were referring to cattle trained from personal care and concern since calves who individually responded to Ruth Downey calling out their names, confirmed by neighbours and stock feed delivery staff who observed this over the years.

Ashton positioned himself at the gate to the YARD with his rifle after they had all the cattle and calves inside. Two of his execution squad, like Nazi storm troopers marching Jews past machine gunners, did the same with each cow for Ashton to shoot it.



RSPCA Hero in action Pic1: Ashton only wounds cow

Some of the cows, although obedient to Ruth, objected to these execution-camp soldiers and broke away, forcing them to hunt a more docile beast for execution.

One cow bolted past Ashton, but he brought her down, with the telescopic sight to assist. The run was a fine effort for a cow that the RSPCA CLASSIFIED as too starved to stand up.



RSPCA Hero in action Pic 2: Unable to kill the cow with his first shot shown in the picture above, and from such a short distance - ASHTON needed to go over and shoot her in the head with another shot

Another of these *"RSPCA ASSESSED"* starving cows, and with her first calf, outran the foot soldiers, and outsmarted them several times until she was cornered against the feeding trough at the back of the yard. There Ashton shot her in front of her calf and she lay there with her neck twisted under her body.

Ten of the calves had been run around the yard for most of the day while they watched their mothers being shot. After the majority of the cows were murdered, one of the execution squad said something like, **"We'll have to shoot the others in the yard or the calves will get out."**

COWS ALIVE LEFT WOUNDED ON THE GROUND

Pools of blood were all over the sand. One Jersey cow, shot by Ashton, was still lifting her hind legs, while trying to lift her head, for around 10 minutes after the first shot. She continued this action as Ashton shot another 4 or 5 cows that lay dead around her. She was still trying to get up; then Ashton shot her again.



Featuring the large hip bone of the Jersey - you can see the size of her udder loaded with milk for her calf that she will no longer feed thanks to the NSW-RSPCA.

Another cow walked at least two of her body lengths, after receiving Ashton's first shot, before he felled her with a 2nd shot.

Others were trying to get to their knees but Ashton poured in many more shots. Blood pools were observed far from Ashton's shooting position at the gate.

Ruth relates, *"When I had two cows put down earlier in the year by my son-in-in law, he used a .22 rifle and required just one bullet per cow, not a high powered cannon that obviously Ashton had no idea how to use."*

THE HAY ARRIVES

In the middle of all this carnage the interim load of hay arrived. Ruth had expected a full load to come the following week but the supplier wanted to ensure that she did not run out.

Ashton called a halt to the executions (pictured) while the truck was there; this was not a good time to have fresh independent witnesses around the killing field.



The woman in the truck was in tears as she witnessed the dying animals. She had delivered to many properties during the drought and seen the condition of stock on farms around NSW. Her comment on Ruth's cows was,

"I HAVE SEEN A LOT OF CATTLE WORSE THAN THOSE"

"The other person who delivered the hay tendered a statement which is on file."

With most of her cattle executed, Ruth sent her two sisters home to their respective farms for they needed to feed their own stock. There was no more to be done at her farm.

As the drought affected all farmers in the area, she offered Anne some of the hay that had just arrived for she no longer required it all since the NSW-RSPCA executioner had left her with only 9 cattle old enough to eat hay.

Her immediate problem was the need for a milk supply to feed her orphaned calves, some just days old.

Here I reflect on the involvement of the Barwon Police Command's representative at the execution, sent to be impartial and oversee the operation, purported to be a devil's advocate, but biased to the hilt of his RSPCA buddies.

THE POLICE OFFICER

Except for the time the newspaper reporter was present, and during the delivery of the hay, Ruth was held fast by this soon-to-be-police-force-decorated hero of the day, Constable Mark Mills, who was given a Police Commendation for his work at the Pilliga farm.

Pictured is Police hero of the day Mills with Ruth Downey observing those about to be executed with their calves about to become orphans. Amazing how healthy those cows look. They are also standing up! According to experts from the RSPCA, RLPB and DPI, this they could not do

– “Cattle That Are Walking Dead” was a quote -



Apart from threatening Mrs Downey, as she yelled and screamed while her cattle were put to death, he managed to injure her knee. Continually restrained and manhandled by Constable Mills during this execution of her cattle.

He threatened many times to ***lock this 72 year old woman in the Police van and charge her if she went near the cattle, or tried to stop the shooting.***

It was interesting how Constable Mills suddenly became camera shy, relaxing all restraint on Ruth Downey, upon the arrival of JJ Robinson, journalist and photographer for the Narrabri “*Courier*”, who took some 50 great pictures of the carnage.

I thank the Narrabri Courier for allowing us to publish a few of these photographs in the book.

I do not thank the NSW Police for their commendation (Certificate of Appreciation) awarded to Constable Mark Mills, at the Narrabri Crossing Theatre on the 31st July 2007, by Acting Superintendent Mark Minchan, and Assistant Superintendent Steve Bradshaw to quote:

“Constable Mark Mills from Pilliga Police was presented with the Local Area Commander’s Certificate of Appreciation in recognition of the professionalism he displayed when assisting the RSPCA at Pilliga in June 2007, and his commitment to community based policing within the Pilliga and Gwabegar communities”

There were some 100 people present, (including National’s MP Kevin Humphries, who aired his disapproval of this commendation during the function). Mills was commended for his heroic effort in containing, with force, a 73 year old woman as she observed the RSPCA’s slaughter of her cattle, refusing to assist her when requesting documentation that may have stopped this slaughter, he reflected TOTAL bias to the RSPCA at all times.

THE RSPCA PHOTOS TAKEN

This picture was taken of "Sheena" on the day she was executed, shows the condition she was in is far from STARVING and you see she is standing which was not the DPI, RSDPCA and RLPB professional assessment



Not wishing to contaminate evidence by photographing the condition of those about to be executed, the RSPCA would cut the stomach of the deceased cow to let the gas out, then place on each dead cow, a sign-board with Ruth's name and the number of the dead cow.



**Does this DEAD
"SHEENA"
look starved ?**

This degassed body of "Sheena" was more photogenic to their files than a before-death print of an active cow, which would have been damning evidence when presented in court.

THE HOUSE

PADDOCK EXECUTIONS

After killing all but 8 head of cattle, RSPCA Inspector Ashton went up to the house to get the four cows Ruth had separated because one (pictured) had a three-day-old calf. When Ashton started chasing them this cow leapt the fence. Keep in mind that the RSPCA and DPI and vets had classified Ruth's cattle as emaciated, "knuckling-under" and having "muscle wastage".



The picture right was taken on 16th May 2007 of the cow well in calf. She gave birth just three days before Ashton shot her. Does this look like a starving cow unable to stand, as RSPCA CEO Coleman quoted,

"Dead Cattle Walking"

Terrifying the chickens in the 4 coops as he chased the cows, Ashton did catch 3 of the 4 cows, then shot them. Ruth said that the three he shot were in better condition than the one he left. Only one other cow survived the slaughter.

THE NSW-RSPCA VIDEO

The video of the execution conducted by the NSW-RSPCA would cause anyone to assume that the RSPCA was about to make a major film. All participants from the various departments announced who they were and the purpose of their visit.

This 'Hollywood production' featured one RSPCA person being prompted with her lines as she was being recorded on video. She could not remember what she had been told to say when tutored by the 'production team'. Unlike the others who stuck to the script, she failed here, yet it was all recorded for and accepted into evidence.

All this was shown in court to the Magistrate. Should Ruth's constitutional rights to a jury have been allowed, they would have burst into hysterics watching this "keystone cop's" NSW-RSPCA video production presented as evidence.

As mentioned previously in my introduction to this E-book, if you are put in a situation of RSPCA, or RLPB inspectors/rangers, or police sniffing around your farm, call a solicitor and call your vet, record everything on video, record everything on audio, take pictures of everything - it is your right.

The ambiguous privacy law is a shield always used by these people as a tool to intimidate, but if tested it would collapse. Make records of their actions on paper at least. Again **Record Everything**, for we are constantly informed **"Australia Is Still A Democracy"**.

It is a loaded dice unless ***YOU TAKE "COUNTER ACTION."***

A one-sided case is a winner if **YOU** allow this to happen.

RSPCA UNAUTHORISED BURIAL OF THE BODIES?

The contractors sworn to secrecy waited for a week to do the job for which the NSW-RSPCA hired them.

They removed the bodies from the killing yard with a tractor-loader picking them up, and dumping them into a tip truck, taking twelve bodies at a time, then dumping them into the pre-constructed mass grave on the TSR.



This Traveling Stock Route (TSR) is public land managed by the RLPB, but comes under Narrabri Council's jurisdiction, yet our inquiries established that no council approval was sought, either by the RLPB, or the RSPCA, to bury 48 head of cattle on public land.

(Motherless calf stands before its mother's executed body awaiting loading)

The location of this burial site is uphill from a river-flow over the ground water-table, now subjected to leaching mass-graved, dead-cattle body-fluids.

I spoke with farmer and scientist, Noeline Franklin BSC (Hon), M.Medsc, PTC. Having spent some 16 Years as a CSIRO Scientist, returning to her farm, and currently a director of the Yass RLPB in NSW. I asked her for an opinion concerning this action taken by the DPI, NSW RSPCA, and the RLPB.

"I believe that the burial of such a large number of cattle would need to have local government approval because of a health risk and mass contamination to the area which includes surface and ground water.

"Abattoir establishment needs some two years of satisfying the Environment Protection Authority (EPA) regulations before approval to process slaughtered cattle is granted as these regulations are set in place for PUBLIC safety.

"In that kind of mass burial most certainly the EPA would need to be involved."

THE DEAD CATTLE buried with and without NLIS REGISTRATION TAGS

I further asked Noeline Franklin about the National Livestock Identification System (NLIS) with reference to Ruth Downey being accountable for any movement of her livestock. I stated, "Some of her executed cattle were buried without their tags, which Ruth had not put on because she had no intention of moving them. Others were buried with their tags. No known NLIS record of these dead beasts was noted, or apparently recorded by representatives of the RSPCA, or the RLPB and DPI. (Who manages the system in NSW?)".

Noeline stated,

"NLIS comes under legislation through the Department of Primary Industry (DPI) and is administrated in NSW by the RLPB.

"You may be fined for not keeping accurate records as to the whereabouts of your stock at all times even moving them from one paddock to another.

I said to Noeline;

"Ruth does not have a computer and her records are all maintained by the written word"

Noeline Franklin explained,

"Mrs Downey is responsible to the RLPB to update and keep accurate records of stock movement. This does present a problem as the Narrabri Vet was involved with this RSPCA operation and he should have had a hand held computer NLIS tag reader for an operation that was planned weeks earlier by the RSPCA. It is a basic tool when dealing with livestock, especially when euthanasia is considered for any percentage of a farmer's livestock.

I then stated to Noeline;

"The court transcript disclosed that the Walgett Department of Primary Industry beef cattle expert, Juliet McConochie had (4) four wands (hand held tag readers) at her disposal and did not take any of these basic tools with her to the Downey Pilliga property, to recover live stock NLIS information."

"There was not even a record of the individual personal ear tags Ruth Downey had put on her beloved cows by these caring RSPCA and RLPB experts."

"Recently they have fined a farmer in Southern NSW \$1,800 because he had not complied with the NLIS legislation."

Noeline replied;

"The NLIS tagging system is legislation and in NSW is controlled by the Department of Primary Industry (DPI) and administered by the Rural Lands Protection Board (RLPB).

"Each farm stock animal is required to have an ear tag with a computer generated individual identification number, unique to that animal, issued from the local RLPB.

"I find this Ruth Downey case of cattle being seized by the RSPCA, under the eyes of the RLPB vet, and the DPI officers - both parties who administer and control the NLIS system - even allowing this to happen, more than amazing."

"To clarify how the NLIS work, it is a national database of rural stock, where not only the individual ID numbers are recorded but also their geographic location.

"If stock are sold or agisted, even changing their habitat paddock, this information is required from you for the database records.

"Land holding has a PIC number (Property Identification Code), even showground's have a PIC number, so do all TSR's, like where the Downey cattle were buried.

"It is an interesting situation with Mrs Downey; does she remain the last owner, or is it the private organization being the RSPCA, or the DPI whom you tell me sent an

officer to attend the cattle's termination, and who had access to 4 tag readers, but did not bring one with her? This indicates that the gate keepers of the NSW NLIS system have not recorded the 48 head of cattle destroyed.

"This whole Downey RSPCA, RLPB and DLI operation needs to be placed under a microscope by someone."

THE "Coupe De Gras" by the Concerned NSW-RSPCA Executioner

When Ashton had finished killing 48 head of Ruth's cattle, he went to the house and presented Ruth Downey with a "Seizure Notice" for the executed 48 cattle. This was the first document Ruth had received from the RSPCA since the start of their inquisition back in February 2007, other than the flawed feeding program supplied by the DPI Beef cattle not dairy cattle Officer.

As a parting offer Ashton asked Ruth...

"Would you like me to shoot the calves as well?"



Not a mention of how Ruth was to feed these orphaned calves by this concerned RSPCA officer, who had authorised the execution of their mothers, who were loaded with milk for their babies, now dead by his hand.

RUTH RELATES HER DISPAIR

It was hard to accept that all those cattle which she had fed that morning, with the personal care that she always tendered to her cattle, were now all dead and buried by 4.45pm.



Looking over their fine work are the, RLPB vet Slattery, DPI Beef Cattle Officer with an RSPCA inspector & Vet

RUTH'S

WITNESSES & EVIDENCE

Many more descriptive photos were taken by J J Richardson, the journalist from Narrabri, revealing that a far from humane shooting had taken place.

Ruth's son has video footage of some of this RSPCA inquisition, as does one of her neighbours.

Contemporaneous notes made by many witnesses, along with irrefutable statements will rattle the chain around this out of control public-funded organisation, sitting in judgment to maintain a cash flow that supports an empire constructed to sustain the life that president Andrew Wozniak, and his flunkies, have enjoyed for over a decade.

RSPCA and POLICE RETURN TO THE KILLING FIELDS

June 22nd 2007, Ashton arrived with one other RSPCA "Storm Trooper", and TWO police officers from Wee Waa.

Ruth's son Alec was present to witness and video-recorded this visit.

Ashton identified himself by saying,
"Ruth you know who I am, Gary Ashton for the RSPCA."

He stated, *"I am here to issue feeding instructions for the calves"*
(This was eight days after Ashton had shot their mothers. Until this visit there was never any indication of concern by the RSPCA, the DPI or the RLPB about the motherless calves that they walked away from after the slaughter.)

You wonder why a police escort of **TWO** officers, a second RSPCA person, were required by this stand-over merchant/Ex police Officer Ashton to deliver a piece of paper to a 73 year old lady???

More of NSW-RSPCA Inspector Ashton's lying is revealed on this event video recorded by Alec Downey, plus a second video recorded by a concerned neighbouring farmer of this event.

From Alec's contemporaneous notes of the visit
(video footage substantiated these notes)

Ashton counted the calves in the yard and said, *"That's concluded my inspection there."*

When asked by Ruth to give his assessment of the calves was, he said *"I do not have to answer you."*

(Mal's Notes: Mentioned previously was Ashton's statement, *that either an RLPB (Rural Lands Protection Board) veterinarian or a DPI (Department of Primary Industry) livestock officer should be present at each visit to inspect cattle on a property.* So why did he not abide by these rules when he elected to check the calves? Well we all know the answer to that one)

In the process of issuing the feeding instructions, Ashton did not at any stage discuss these instructions, or endeavor to explain them. There was no consultation just dictation.

He subsequently went walking and then driving around the property conducting an inspection (search) of old dead cattle bones. **This was never stated as a purpose of his visit.**

Ashton, and his off-sider, later revealed to be Michael (never introduced), took video footage of the bones making a "formal" report. Ashton made numerous remarks into his voice recorder, but ceased whenever Alec came close to him.

Alec's notes: Mum has also reviewed her diaries for the past 5 years back to 2002 and listed each animal that had died on the property by name, date of death and cause of death. This clearly shows no death was a result of neglect or starvation or poor management; instead they were natural losses through normal mortality of cattle. However, it is clear that the RSPCA will attempt to use this video footage taken by Michael and Ashton as something more sinister as the RSPCA person Michael stated, *(recorded on Alec video)* **"Cattle have been dying here for years."**

(Mal's Notes: *What a mental giant this one is - does he think that only on the Downey estate cattle have been dying for years? And here we see the RSPCA evidence façade continue building their case on nothing, yet this is effective in NSW courts, without jury, that is.*)

Alec managed to video-record the visit almost in its entirety, stopping on two occasions to run on foot after the RSPCA & Police vehicles as they drove into the paddock in search of cattle remains.

"My video footage reveals the police telling me where I could stand on private property and where and how I could video on private property with threats of arrest for obstructing justice."

(Notes: *Remember this is the way they stop recorded evidence from being taken, it is wrong. Let them take you to task after you have recoded the evidence and see who wins out in the end. Like here nothing will be done threats only- they know they are wrong*)

"Eleven local farmers were on Mum's property witnessing this official visit – 'to deliver the calves' feeding program document'. We were told this was the reason."
 "One of those farmers also video-recorded the proceedings as an independent footage to mine."

"One farmer experienced 'car trouble' as he pulled up to open a gate on mum's private land, on a fence that divided two paddocks on Rosleigh. The WEE WAA police officer instructed ANOTHER local farmer, **"Tell your mate to move his vehicle or he will be charged with unlawful detainment."**

He asked the officer – **"Why am I required to tell him as it is nothing to do with me?"**

The officer said, - **"HE'S YOUR MATE."**

(Mal's Quote; ***"As all these storm trooper's threats are on video the Police must have thought they were invisible."***)

The farmer continued, **"Mr Police Officer, because I am not a law breaker I will tell him what you have instructed me to tell him, but I cannot make him move."**

This blocked gateway would in no way stop the police from leaving the property as there was another exit, well-known to Ashton, leading to the Coonamble road.

Narrabri Councilor, Bevan O'Regan had attached a sign to this gate near the Coonamble road, stating, **"No Trespassing by order of the High Court"**, *(quoting*

a ref No). We understood that this sign superseded all Police and RSPCA powers, but it would not have prevented anyone from leaving the property.

No inspection was made of the two remaining cows left after the RSPCA's shooting spree. Both RSPCA and Police vehicles drove past the cows at approximately 50-60 km without stopping and the cattle raced away, very fast, showing their strong condition.

Myself and one of the farmer-witnesses escorted the Police and RSPCA off the property. They stopped down the road, compared notes and continued on their way. The RSPCA vehicle turned to mum's other paddock, named "Connell".

I suspect they conducted a similar search there without permission. I would also assume that they inspected the "Mass Gave" where they buried mum's cattle last week, to ensure it had not been tampered with or disturbed in any way.
(end of Alec Downey's contemporaneous notes)

This has given you information I have collated from investigators and other sources to substantiate the length this NSW-RSPCA will go to for a conviction to sustain their existence as a private organisation with powers exceeding those of the Police, which they abuse relentlessly.

You now have details of "**The Ruth Downey Inquisition**" run by the NSW-RSPCA Inspectorate. You have the media hype they generated to sustain public concern for this caring organisation against that wicked woman farmer Ruth Downey who starved her cattle.

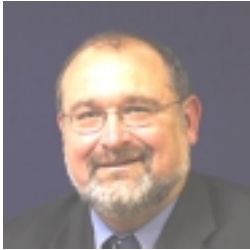
I will now move you into the amazing and sinister area of NSW-RSPCA Prosecution where the President of that organisation, a lawyer, and his law firm represents EVERY prosecution with assistance from another fellow director and Barrister, not to mention the Vet from that board room that returns hundreds of thousands of dollars to them, not the RSPCA.

NSW-RSPCA LEGAL TEAM & BACKGROUND

Understand, the RSPCA is a charity organisation Australia wide, an incorporated charity company (without shares) operating under the same corporate structure as a cricket or fishing club, interest groups etc, under a constitution administered from a committee, or board of management drawn from its membership.

The RSPCA is funded from small respective state government contributions with the bulk provided by public donations from you, the people.

For over a decade, we reveal that Mr Andrew Christopher Wozniak, LL.B. (*admitted to practice law 6/07/1984*) President, serving on the Board since 1996 and Life Time member of the NSW-RSPCA, has been conducting the NSW-RSPCA legal work in what seems to be a **'closed shop'**, exclusive to Mr Wozniak's personal legal empire. The NSW-RSPCA legal service appears never to have been put to tender, or to have asked for expressions of interest from any other legal practices over that period.



Andrew Wozniak, although holding the rank of solicitor, enjoys being leader of the pack using his law firm, **'Smythe Wozniak Solicitors'** as instructing solicitors. Here, Wozniak oversees construction of the NSW-RSPCA prosecution plan, collates evidence, organises Senior Counsel mates to join his team, and prepares the briefs for a fee, that's not FREE, nor discounted for such honourable voluntary work most thought held the RSPCA together.

Fellow NSW-RSPCA director Mr P O 'Donnell LLB (Hons) - Barrister of the Supreme Court of NSW, was elected to the NSW-RSPCA Board in October 1998, and like Wozniak, provides his legal services within the **'closed shop'**, acting either as counsel, or when senior counsel (MATES) are called in for NSW-RSPCA prosecution cases, O'Donnell assumes junior counsel status.



Dr Peter Wright - Vice President of the NSW-RSPCA, a veterinarian who runs his own practice in Goulburn, NSW, is also part of the Wozniak legal prosecution team. He operates as a paid expert witness to shore up the RLPB and DPI vet's statements, or he might be called in to conduct an inspectorate veterinary inquiry/assessment for the NSW-RSPCA.



Steve Coleman, is the boardroom's well controlled puppet, once an inspector, now the CEO of the NSW-RSPCA. Watch him jump to attention when President Andrew Wozniak presses a pedal. Coleman, although not directly on the president's gravy train, links and controls the NSW-RSPCA Inspectorate – "Storm Troopers" – and without them, there would be no prosecution gravy train.

State Governments, Australia wide, have made the RSPCA their main prosecutors. They subsidise the charity and have given it unprecedented legal powers to inspect and prosecute animal cruelty. People see it as a government department, but it is in fact only a publicly funded charitable organisation.

This society is completely untouchable, it is completely unaccountable, you just can't get anywhere by knocking on the front door. It is an empire constructed to service an inner circle behind fortress walls, maintained on your public donations.

As quoted by national RSPCA president Dr Hugh Wirth, when asked back in 2004 during a Four Corners investigation into the RSPCA, "Why is it that the RSPCA aren't proactively investigating, and when necessary,

prosecuting intensive farming corporations for cruelty to animals?" - he said, *"If I were to do that - if the RSPCA were to do that we would lose our powers.*

*The government would take away our powers as a **prosecution authority.**"*

Gleaning from this, it is a "no no" to target corporate farming. The move to maintain this awesome government-acquired power enjoyed by the RSPCA, meant moving their agenda toward targeting family farms.

Having analysed the detailed information in respect to the NSW-RSPCA inquiry of allegations that Ruth Downey was starving her cattle, including the subsequent execution of these cattle, I will now take you through the facts from our investigation of LAW & legal process favoured by the NSW-RSPCA inspectorate, used in this Ruth Downey case.

NSW Legislated "*PREVENTION OF CRUELTY TO ANIMALS ACT 1979*" is the law under which the RSPCA inspectorate operates. Not being a government department, but a charitable organisation, section 34B of that act was created.

The Department of Primary Industry administered by Minister Ian McDonald, can authorise such organisations as the RSPCA, to exercise powers under the act (see (1) below). He may also remove the powers from them (see (2) below).

The fear of losing these powers terrifies the RSPCA. Hence they appear to stop at nothing to hold on to that power.

From the - "**Prevention of Cruelty To Animals Act 1979**"

34B Approved Charitable Organisations

(1) The Minister may, by order published in the Gazette, approve of a charitable organisation for the purposes of the exercise by its officers of law enforcement powers under this Act.

(2) The Minister may, by order published in the Gazette, withdraw an approval given under this section if the Minister considers that it is in the public interest to do so.

(3) A charitable organisation that has been approved in accordance with this section must, within 3 months after 30 June in each year, provide the Minister with a report addressing such matters in relation to the exercise by itself or its officers of functions under this Act as may be prescribed by the regulations.

(4) In addition, a charitable organisation that has been approved in accordance with this section must, if requested by the Minister to do so, provide the Minister with a report on any matter specified by the Minister that relates to the enforcement of this Act by the organisation.

Irrefutable evidence from video, still photography, personal statements and contemporaneous notes, along with eye-witness records of events concerning this NSW-RSPCA Inspectorate storm trooper investigation of Mrs Downey, whilst omitting and glossing over her defence, seemingly contradicts most evidence tendered to court by the NSW-RSPCA prosecution's case.

These noted anomalies and apparent abuse of government powers conducted by the NSW-RSPCA inspectorate need to be addressed by the Minister, but with his irrefutable record of not rocking the boat, in concert with backside protecting, we can count on zero assistance from this quarter.

Governments are being saved millions of dollars by having the RSPCA enforce the animal cruelty act, all funded by you the people. They do not want it back in their laps under police and the DPP and be forced to fund it.

Positive action to clean up this, at the very least morally corrupt NSW-RSPCA power crazed Inspectorate, needs first to start with stemming the flow of ill-gotten monies, into their and their President's legal firm's (*Smythe Wozniak Solicitors*) coffers from 'Public Donations' & suspect legal battles respectively, forcing the government to step in and act appropriately in the public interest. The need to keep pressure of public concern right in their faces exposing these storm troopers and their masters, requires a very public inquiry of this organisation's apparent abuse of their ministerial given license under this Cruelty Act.

From above concerns, it is clear the minister must under this Act, exercise his powers until the matter is resolved in the public interest, these powers being:

(2) The Minister may, by order published in the Gazette, withdraw an approval given under this section if the Minister considers that it is in the public interest to do so.

NSW SENATOR EXPOSED RSPCA IN 2004 NOW 2009 STILL NOTHING DONE

NSW Green's Senator, Ms LEE RHIANNON (*pictured*) presented this statement (from Hansard) on the 21st June 2004 to the NSW parliament. It was at 10.18 pm which may have been delivered to an empty chamber, but her concerns are recorded as follows.



A Four Corners program suggested that nationally vested farming interest groups controlled the RSPCA and manipulated its activities to suit their own commercial purposes, often to the detriment of animal welfare. Since the program was aired I have been approached by a number of people concerned about the operations of the RSPCA: members of the public, and former employees and members of the RSPCA. One of their concerns relates to a letter sent to RSPCA members on 1 November. The letter, which was written on RSPCA letterhead, made reference to the organisation's upcoming election. The signatories refer to the Four Corners program as being "unfair and unbalanced" and say that "anonymous letters containing lies and distortions have been circulated". I understand from the people who approached me that the letter is in breach of clause 23 (6 (b) of the memorandum and articles, which state:

All publicity for the election of members of the Board shall only be published as a resume' of candidates listed in alphabetical order in the Animals Magazine.

*That statement, in itself, is misleading for members. The letter implies that RSPCA branches have participated in its drafting and its execution, but I understand that that may not be the case. Other allegations that have been raised and that need to be thoroughly investigated include: substantial amounts of money left in legacies and bequests are not being used for the benefit of animals and animal welfare; the RSPCA inspectorate, law enforcement division, is under-resourced and fails to ensure that complaints of cruelty are attended to in a reasonable time frame; **and the inspectorate fails routinely to investigate intensive farming enterprises and other businesses relating to animals.***

Large sums of money are being spent on motor vehicles, mobile telephone accounts, corporate American Express cards, and travel. High-cost consultants are retained by the RSPCA board to deal with activities that

should be dealt with by the employed management team, whose services are of doubtful benefit to the organisation, its members, and the welfare of animals.

On occasions the RSPCA has employed parties related to, or associated with, senior executives and board members. That could represent a conflict of interest that should at least be disclosed to members. For example, members are generally not aware that... 'the president's (Andrew Wozniak) aunt is employed as the RSPCA's bequests officer and that the legal firm in which the president is a partner solicits bequests on behalf of the RSPCA, manages the bequests, and publicly offers to write wills for donors.'

The recent annual report of the New South Wales RSPCA shows that its income was \$38 million, which included \$10 million from the sale of non-current assets. An amount of \$21 million was expended during the year. I have been told that large amounts of money have been spent on motorcars, telephones, travel, executive education, consultants, and legal fees. Meanwhile the shelters, particularly at Yagoona, are in a disgraceful condition.

I am not making any inference about the work of Mr Albert Mok, the RSPCA auditor for the past 10 years, but the RSPCA needs to explain why a large accountancy firm is not undertaking that work, considering the fact that the RSPCA handles such vast sums of privately donated money and assets.

The RSPCA operates under an old and outdated memorandum of articles and association that has been amended from time to time. These complaints suggest that a review of the memorandum is needed. The probity of RSPCA finances has also been queried. From 2000 to 2004, the cost of raising funds increased from 14 per cent to 50 per cent. While substantially more money was raised compared with 2000, the cost of raising that money was so high that less money was obtained for the use of the RSPCA.

I understand that in 2002 a private group, DVA Navion Pty Ltd, was retained at a large cost to drive fundraising efforts, but that members have not been kept informed of the employment of this firm and its performance, or the cost to the RSPCA.

*'We are also concerned about related party transactions. Paul O'Donnell and Andrew Wozniak's legal firms undertake work for the RSPCA when such work is available to the organisation pro bono. It would appear that that might involve breaches of fiduciary duty. Sadly, the people who have **dared** to raise these concerns have not been given answers. Private legal firms are hastily commissioned at great expense to deal with these people harshly and threateningly, yet the perpetrators of animal cruelty go without investigation or prosecution. The public holds the RSPCA in high standing, but that goodwill is being damaged. It is time for answers. Change is needed.'*

"Nothing has been done as we now enter 2009."

THE PROSECUTION ARMY –V- RUTH DOWNEY

Intelligence gathered by myself and my well experienced volunteer sleuths, was enough to look extensively into the Downey case and others, of which Jan Richardson's is an example: a single, 65 year old woman living on her farm alone. She was subjected to the same NSW-RSPCA "Storm Trooper" and "A. Wozniak Prosecution tactics" as Ruth Downey was in June 2007. Unlike Ruth Downey's slaughtered cattle, Jan's were confiscated before Ashton (the investigating inspector again) was let loose with his inaccurate rifle, which was his initial intention.

Let me take you through the NSW-RSPCA prosecution structure, I call - '**All The President's Men**'.

Under command of instructing solicitor and NSW-RSPCA **President** Andrew Wozniak, is a well rehearsed team compiled to confront farmers in the courts after the investigating RSPCA Storm Troopers think they have a case against the targeted farmer. Having waved their Special Constable badges in people's faces, ramming home to their targets what massive powers they have (greater than police), with which they feel they can do whatever they like, along with having shot (murdered) the evidence, we see this well oiled and ministerially-protected prosecution machine jump into action. There are not just big bucks to be had for the boys, but huge trunk loads of bucks; once part of the team, the only thing you need for success is to have no conscience.

The Australian Constitution states; - **Chapter III—The Judicature**
80 Trial by jury

The trial on indictment of any offence against any law of the Commonwealth shall be by jury, and every such trial shall be held in the State where the offence was committed, and if the offence was not committed within any State the trial shall be held at such place or places as the Parliament prescribes.

Reading this is clear and concise to me. I understand we the people are still governed by our Federal Constitution, although politicians have self-appointed themselves as MASTERS, while we the real masters have been relegated to subservient accountability with our constitutional rights usurped. Our forefathers' concern, when drafting and promulgating our constitution for this nation's future, and the well-being of the people, has been disregarded, covered in cobwebs and totally ignored by parliament, whenever our water tight constitution should favour the people, and not the political parties and their agendas.

And yes, before you start, where a difference arises between a State Constitution and the Federal Constitution, to the extent of the difference the Federal Constitution takes precedence and overrules the State. That is all that we as Australians need to know to demand our right to be tried by our peers: trial by JURY. Any official argument to the contrary, and therefore belief that rules, regulations and Australian Acts etc overrule this constitutional right is not just constitutional bastardry, but is in fact an act of treason against this nation and its people. Before you start to argue this, there is a need to determine what exactly was meant by our Constitutional founding fathers term, "Commonwealth". No more digression.

Ruth Downey and Jan Richardson both sought "**Trial by Jury**", They were denied this right with both cases being heard in a local court by a sole magistrate. Other RSPCA prosecution cases I have followed up were also heard by a single magistrate with no jury.

Should both cases have been heard by 'twelve of their peers', in the balance of probabilities there would almost assuredly have been a very different outcome.

Smythe Wozniak Solicitors - now it seems - like to move on the court armed with Senior Counsel as well as the thoroughly experienced barrister, Paul O'Donnell, with Andrew Wozniak as solicitor controlling the instructions and preparation of the prosecution.

The Downey Court hearing ran in Narrabri, NSW over 4 weeks, an amazing length of time for such a case. This time frame plus such a massive prosecution legal team you would expect only for a major murder trial, certainly not in a tiny district court room over an apparently concocted stock issue.

The NSW-RSPCA prosecution team from Smythe Wozniak Solicitors consisted of;

Instructing Solicitor (Wozniak)
Senior Counsel (King – 1 week)
Senior Counsel (Sutherland – 2 weeks)
Junior Counsel (O'Donnell)

Ruth Downey, an aged pensioner, had sold cattle to provide for her remaining cow's feeding costs. She also used most all of her aged pension for their feed while she herself lived a frugal existence, seldom leaving her property. As the drought raged, like many other farmers, she lives a hand to mouth existence.

She was refused Legal Aid on very vague grounds.

While I have been investigating this Downey RSPCA **Inquisition**, I received an email from a concerned Australian who has been following my SOS-NEWS reports on the case as it progressed in court. She had this to say.

Hi Mal,

I have been reading with keen interest your stories on Ruth Downey, as we have a family connection with her and completely agree with everything written.

I would like to give you a comparison in the prosecution teams between this case and another where we have been personally involved.

In December 2004 my niece was murdered. She was stabbed twice.

The court case was set down to go over 3 weeks (one less than Ruth's) the prosecution team consisted of 1 senior counsel 1 lawyer and someone else I can only assume was an office boy.

After deals were done and secret meetings held it was decided the murderer would plead guilty to manslaughter, which was done 2 weeks before the trial was to begin. The case went over 3 days before a retired judge.

I won't bore you over details but I thought you might find the difference in the two prosecution teams interesting.

Regards
Kate (last name withheld)

Underestimating the support Ruth Downey commands from family (*mostly professional people, and experienced farmers*), friends and neighbours, all law abiding people with integrity and faith that truth will prevail, shot a curve ball into the NSW-RSPCA prosecution as they set about taking Mrs Downey apart, obviously aiming for a jail sentence at least.

Generating a media hype on press releases leading to the hearing, with the exception of the local Narrabri newspaper who had a reporter at the execution of Ruth's cattle, this woman was declared guilty by the likes of NSW-RSPCA CEO Steve Coleman, the Department of Primary Industries media, and gung-ho journalists reflecting inabilities to research, none of whom had been to the killing fields on Ruth's farm, but rather presenting standard mainstream media - biased information to sensationalise and sell newspapers, truth and facts never a consideration or concern.

Here are a few excerpts of these spin doctors generating the only trial Ruth got,

Trial by Controlled Mainstream Media.

Sydney Telegraph

NEARLY 50 cows had to be shot by the RSPCA after they were found barely standing and starving on a cattle property.

Farmer Ruth Downey is expected to face charges next week of aggravated cruelty and failing to provide sufficient food to the animals on her property in Pilliga in the state's northwest.

The RSPCA said it had warned Mrs Downey five months ago her animals needed better care, however, it alleges she failed to meet animal welfare expectations and 48 cattle had to be put down on June 14.

But Mrs Downey, a 71-year-old, who has been on the land her entire life, feels she has been victimised saying "nobody took better care of animals" than she did.

RSPCA deputy CEO Steve Coleman said it was one of the worst animal welfare cases he had seen in the 16 years he had been with the group.

"They were dead cattle walking," Mr Coleman said.

After a complaint was made by a farmer in the district, he said independent vets as well as officers from RSPCA, Rural Lands Protection Board, Department of Primary Industries and police, went to Mrs Downey's property several times to discuss her options including transport subsidies to cart the animals to the abattoirs.

He said the RSPCA did not make decisions such as these lightly.

"We are often accused of being cowboys but these are not easy decisions and it's awful for everyone involved," Mr Coleman said.

"It's not surprising some animals are in these conditions considering we are in drought. You have to commend farmers in this drought they are good at what they do in terms of welfare, this incident is in the minority."

The Northern Daily Leader Newspaper –

The Department of Primary Industries (DPI) was also implicated in the protest and DPI public affairs and media spokesman Brett Fifield responded to the concerns.

"We are unable to comment on Mrs Downey's pending court case on animal cruelty, however, we maintain that drought is no excuse for letting animal welfare slip to crisis point," he said.

With Media on side, the public perception that Ruth Downey was a wicked woman who starved her cattle, public donations were boosted to this caring RSPCA organisation seeing and reading they were taking this dreadful person to court. The time was right for **"All The Presidents Men"** to prosecute this despicable person.

Without going through the court case I will dissected court costs and relevant information, that Ruth Downey has lodged an appeal (*yet to be heard at the time of writing*) against her six months good behaviour bond plus the **\$295,588.99** awarded court costs she must pay to **"Smyth Wozniak Solicitors"** (*not a cent to the RSPCA*), will mean she will need to sell her farm, thus making her destitute.

Ruth Downey received the Memorandum of Costs presented from **"Smyth Wozniak Solicitors"** to the court, on the last day of the hearing. This document was personally handed to the court magistrate by Paul O'Donnell for the sum of **\$295,588.99** after the Magistrate handed down his judgment

We have published a copy of this document at the end of this book for your perusal. Many have downloaded it from the SOS-NEWS site showing total disgust at the detailed content of legal costs against this 73 year old lady farmer, as well as their outrage regarding the whole NSW-RSPCA investigation which we were reporting in our weekly publication and website.

The Prosecution Team Breakdown of the Buck\$

"Smyth Wozniak Solicitors" - Andrew Wozniak instructing solicitor - **\$82,437.05**
 Michael King Senior Council –10 days in court - **\$36,300.00**
 Robert Sutherland Senior Council – 10 days in court - **\$49,500.00**
 Paul O'Donnell Junior Council - (RSPCA Director) – 4 weeks in court - **\$74,000.00**
 Mr Viney Junior Council (Attendance only) – 2 days - **\$3,080.00**
 Agency Solicitors in Narrabri – Bail & Johnston - **\$391.60**
 Agency G B Fernie & Co - **\$176.00**
 Their accommodation at the Narrabri Comfort Inn - **\$7,893.50**
 Their travel expenses and car hires - **\$12,409.12**

Total = \$267,577.27

The remainder of the costs being **\$28,011.72** is divided between all the witnesses and court fees.

One that stands out in the witness costs is "Graham C Doherty, Veterinary Surgeon" who charged **\$3,850.00** for his, or a hired, PRIVATE AIRCRAFT he flew in, or to Narrabri and attendance fee **plus accommodation on top.**

REFLECTING ON JAN RICHARDSON'S RSPCA INQUISITION

In August 2007, a single lady farmer from Tenterfield was charged under the Cruelty Act by the NSW-RSPCA Inspectorate and prosecuted by the President, Andrew Wozniak's legal firm, Smyth Wozniak Solicitors.

Her cattle were targeted to be executed by none other than trigger happy Inspector Ashton, but a court hearing arranged by Jan halted that option resulting in a seizure of cattle to be looked after by the RSPCA pending the outcome of the prosecution they were to later set in place.

Again, no jury was considered, or allowed. The hearing was before a magistrate. Jan was subjected to prosecution by Paul O'Donnell (NSW-RSPCA Director) acting as counsel and NSW-RSPCA President Andrew Wozniak remaining as instructing solicitor in the Tenterfield Court.

The judgement handed down by the Magistrate was a 2 year good behaviour bond, a recorded criminal conviction, and costs of **\$47,000.00** awarded to 'Smythe Wozniak Solicitors'.

This same flying Vet that charged Ruth Downey for his time and private Aircraft, Graham Doherty, was also an RSPCA witness with the Jan Richardson case at Tenterfield Court where he also flew to the hearing and charged her **\$1980.00** for the **PRIVATE AIRCRAFT** plus 2.5 hours in court of **\$687.50** being **\$2,667.50** in total. His cost was included in the Smythe Wozniak Solicitor's account.

A summary of that subject 'Smythe Wozniak Solicitors' account is as follows:

Solicitor (Andrew Wozniak NSW-RSPCA President) - \$14,503.00

Counsel (Paul O'Donnell NSW-RSPCA Director) - \$18,040.00

Witness; The Flying Vet Graham O'Doherty - \$ 2,667.50

Witness Lisa Martin (RLPB Vet) - \$ 602.00

Witness RSPCA Inspectors - \$ 663.60

Travel, air fares, accommodation, car hire, court transcripts - \$4,768.40

This time, the RSPCA did get cost of \$4,744.16 for looking after Jan's stock.

Launching an appeal with Barrister Peter King, this was heard on the **28th November 2008**, by Supreme Court Judge Norris who stated that the fees charged by Smythe Wozniak Solicitors were too much and ruled they be reduced from **\$47,000 to \$12,000.**

Yes that's right, from \$47,000 to \$12,000

Judge Norris further informed Jan's Barrister, that the other appeal matter of unlawful trespassing by the RSPCA on her property is left open for her to have it heard at a later date. This she is doing with Barrister Peter King and we will be watching with great interest, as also will Ruth Downey's legal team, soon to have her appeal heard.

A trifecta for this exposure of Wozniak's legal team's "again a gravy train", I selected this one from our extensive files.

DATE OF DECISION: 14/07/2008 Wagga Wagga Court RSPCA v HAMILTON

Extract from the Judgement: of Magistrate Gordon Lerve

59. The RSPCA have been successful on the vast bulk of the matters they have brought against the offender. The small number of matters that were dismissed did not add to any significant extent to the time the matters took in Court. I am of the very firm opinion that the RSPCA is entitled to its costs. As I indicated on 17 April 2008, I am firmly of the opinion that this was an appropriate matter for the retention of Senior and Junior Counsel. Material was today tendered on the application. I repeat what I said in open Court when taking submissions, namely, ***that the fees charged***

by Mr. King SC were extremely modest given his ability, experience and standing within the profession.

Mr. Paul O'Donnell, of Counsel, instructed by Smythe Wozniak, for the RSPCA

- Mr. Hamilton in person **unrepresented**

Professional Costs \$231,417-90

(How do you think "All The Presidents Men" divided all this cash up)

Court Costs \$ 189-00

Witness Costs \$ 8,330-16

Section 30A costs \$ 10,878.36 .. (This is to the RSPCA for minding the stock)

Total \$250,815-42

Again we see as if a murder trial, the prosecution hosted a solicitor, senior and junior counsels, when the defendant was **UN-REPRESENTED**.

Then to read that magistrate Gordon Lerve condoned this army of lawyers representing the RSPCA on a mission for cash makes any reasonable person shudder, especially when this supposedly learned gentleman makes the statement that the senior counsel deserved his fees because of his standing within the "*good ol' boys club*".

Mr Hamilton may not yet have finished with this INQUISITION by the same NSW-RSPCA Storm Troopers who offer yet another intriguing exposure to this Gallery of publicly funded Gestapo power crazed heroes doing the spade work for "**All The Presidents Men**".

What we have established from just *three 'Smythe Wozniak Solicitors' prosecution invoices* this year of 2008, is that they, on a prima facie' basis, have grossed to the tune, some **\$593,404.41**, less a few miserly payments of;

Distribution to witnesses expenses - **\$40,275.00**
RSPCA Reimbursement stock care under sect 30A - **\$15,632.52**

Leaving "**All The Presidents Men**" just - **\$537,296.89**

That of course is less the Supreme Court appeal decision handed down in favour of Jan Richardson in November, knocking off **\$35,000** of over-charging. With Ruth Downey yet to come, and Hamilton in the wings, it may very well reduce considerably more over several months.

Let us look a tad further, where this may not affect the truly greedy ripping off the truly needy, as we have shown, for another door is open for President Wozniak

Our inquiries have revealed the NSW-RSPCA paid out six figure legal fees from their fiscal account bolstered by your public donations.

Legal Costs for 2007-8:

For Support = \$ 34,589
For Inspectors=\$ 855,720
For Shelters = \$ 2,030
For Clinics = \$0
TOTAL for NSW RSPCA = \$892,338

Legal Cost for 2006-7:

For Support = \$100,793
For Inspectors=\$ 454,361

For Shelters = \$462.00
 For Clinics = \$5,935
TOTAL for NSW RSPCA = \$555,616

Legal Cost for 2005-6:

For Support = \$159,665
 For Inspectors=\$ 385,083
 For Shelters = \$0
 For Clinics = \$0
TOTAL for NSW RSPCA = \$544,748

Legal Cost for 2004-5:

For Support = \$ 65,115
 For Inspectors=\$ 454,452
 For Shelters = \$0
 For Clinics = \$0
TOTAL for NSW RSPCA = \$519,567

The heartland of the RSPCA is without question their dedicated volunteers, in the shops, collecting donations, fund raising, a band of hard working people who believe in the RSPCA code. Like most, we cannot stand by and let cruelty to animals happen on any platform. However, these salt of the earth devotees, are kept in the dark like mushrooms by the NSW-RSPCA Senior Management, whilst being fed bullshit. It is quite apparent that control by RSPCA CEO, Steve Coleman (Claudius Maximus), the smiling assassin and media spin doctor, is no more than a boardroom puppet dangling from the president's arm.

Let me put this to you, without prejudice, and in the balance of probabilities: my following thoughts, as a very experienced international white collar crime investigator, are as such.

The majority of people prosecuted by the RSPCA are cash strapped, lost souls who become prime targets for the inspectorate to investigate on the whim of a disgruntled neighbour, or competitor, a vengeance-seeking person, who triggers an inquiry. Substantiated concerned complaints seem the minority.

Intentionally using the cosy TV show the RSPCA have running on national television, the RSPCA inspectors are shown to be compassionately active to a gullible public who enjoy media hype of exposed RSPCA cruelty and the NSW CEO Steve Coleman spin-doctoring that props it up.

The private sector prosecutors from 'Smythe Wozniak Solicitors' in NSW need a smooth transition of funds from their awarded court cost against the cashless convicted which may take years through bankruptcy, or debt collection processes, not to mention their fees being reduced by some of the concerned cashless convicted.

So to maintain a steady cash flow, why not collect immediate payment for services rendered directly from the RSPCA publicly funded coffers then let them (the RSPCA) worry about recovery and reduction of such up front fees out of the donations.

Payments made from the NSW-RSPCA to the inspectors' accounts payable, being well into the six figures would suggest an inquiry.

Reading their scant balance sheet over the past year, they have declared recovered court legal fees as follows;

Legal fees 2007-8- income from Court Fines and costs = \$275,330
Legal fees 2006-7- income from Court Fines and costs = \$107,371
Legal fees 2005-6- income from Court Fines and costs = \$103,188
Legal fees 2004-5- income from Court Fines and costs = \$139,328
Total \$625, 217

Does give credence to my blood hound nose smells, what this NSW-RSPCA have spent on legal fees over the identical period – and out of donations –

\$2.5 million dollars.

Into whose pockets did this difference go?

Prove me wrong - examine the books of this Publicly Funded NSW-RSPCA.

WHAT DO YOU THINK...

FOR I KNOW WHAT I THINK?

Below are original copies of the pages submitted by RSPCA President, Andrew Wozniak, on behalf of his company, not the RSPCA, to the Court in Narrabri NSW at the termination of the hearing, (not TRIAL BY JURY) of Ruth Downey for the sum of

\$295,588.99

Worth noting is the cost of the Lawyers to everyone else, their car hire and accommodation charges at the same Motel compared with those of everyone else. Also look at Vet Doherty's private aircraft charge of, \$3,850 under "Disbursements (Witness)"

Compare costs of "Good Old Boy" O'Donnell to that of their major witness Ashton;

ODONNELL:

Court Attendance = \$75,390.00
 Travel Expenses = \$ 2,395.47
 Car Hire = \$ 3,369.52
 Accommodation = \$ 2,815.90

ASHTON:

Court Attendance & Travel Expenses = \$4,143.00
 Accommodation (same Motel) = \$1,280.78

Smythe Wozniak Solicitors
109-111 Queen Street
ST MARYS NSW 2760

24-Oct-08

Memorandum of Costs

In the Local Court of New South Wales at Narrabri
Royal Society for the Prevention of Cruelty to Animals, NSW -v- Ruth Downey

Professional Costs

Date	Description	Cost
20/11/2007	Service Period 19-Jul-07 to 20-Nov-07	\$ 6,037.16
30/04/2008	Service Period 21-Nov-07 to 30-Apr-08	\$ 25,861.18
28/07/2008	Service Period 01-May-08 to 01-Jul-08	\$ 17,544.43
18/10/2008	Service Period 01-July-08 to 18-Oct-08	\$ 12,900.00
24/10/2008	Service Period 19-Oct-08 to 24-Oct-08	\$ 12,800.00
	Sub-Total	\$ 74,942.77
	GST	\$ 7,494.28
	Total	\$ 82,437.05

Disbursements (Legal)

Date	Description	Cost
22/04/2008	Mr M. King attendance from 31/03/08 - 11/04/08	\$ 36,300.00
11/07/2008	Mr R. Sutherland attendance from 05/07/08 - 11/07/08	\$ 23,100.00
24/11/2008	Mr R. Sutherland attendance from 19/11/08 - 24/11/08	\$ 26,400.00
	Total	\$ 85,800.00

Junior Counsel

Date	Description	Cost
19/11/2007	Mr J Viney attendance from 14/11/07 - 18/11/07	\$ 3,080.00
11/04/2008	Mr P. O'Donnell attendance from 22/07/07 - 11/04/08	\$ 35,240.00
13/07/2008	Mr P. O'Donnell attendance from 05/07/08 - 11/07/08	\$ 18,700.00
24/11/2008	Mr P. O'Donnell attendance from 19/11/08 - 24/11/08	\$ 21,450.00
	Total	\$ 78,470.00

Agency Costs

Date	Description	Cost
29/10/2007	Bell & Johnson Solicitors 23/10/07 - 26/10/07	\$ 391.60
03/03/2008	GB Fernie & Co	\$ 176.00
	Total	\$ 567.60

Court Costs

Date	Description	Cost
06/08/2007	Court Attendance Notice re: Ruth Downey	\$ 70.00
20/05/2008	Transcript Fee 1st Wk Narrabri Local Court	\$ 3,232.00
30/05/2008	Transcript Fee 2nd Wk Narrabri Local Court	\$ 2,975.00
	Total	\$ 6,277.00

Accommodation

Date	Description	Cost
04/04/2008	Comfort Inn Narrabri - King 30-Mar to 04-Apr	\$ 757.05
04/04/2008	Comfort Inn Narrabri-O'Donnell 30-Mar to 04-Apr	\$ 507.05
04/04/2008	Comfort Inn Narrabri-Wozniak 30-Mar to 04-Apr	\$ 884.05
11/04/2008	Comfort Inn Narrabri - King 06-Apr to 11-Apr	\$ 576.45
11/04/2008	Comfort Inn Narrabri-O'Donnell 06-Apr to 11-Apr	\$ 748.45

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Smythe Wozniak Solicitors
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24-Oct-08

Memorandum of Costs

In the Local Court of New South Wales at Narrabri

Royal Society for the Prevention of Cruelty to Animals, NSW -v- Ruth Downey

11/04/2008	Comfort Inn Narrabri-Smythe 06-Apr to 11-Apr	\$ 740.95
11/07/2008	Comfort Inn Narrabri-O'Donnell 06-Jul to 11-Jul	\$ 804.50
11/07/2008	Comfort Inn Narrabri-Sutherland 06-Jul to 11-Jul	\$ 678.50
11/07/2008	Comfort Inn Narrabri-Morgan 06-Jul to 11-Jul	\$ 461.00
21/10/2008	Comfort Inn Narrabri-Wozniak 19-Oct to 20-Oct	\$ 211.00
23/10/2008	Comfort Inn Narrabri-O'Donnell 19-Oct to 23-Oct	\$ 755.90
23/10/2008	Comfort Inn Narrabri-Sutherland 19-Oct to 23-Oct	\$ 631.00
23/10/2008	Comfort Inn Narrabri-Morgan 21-Oct to 23-Oct	\$ 337.60
	Total	\$ 7,893.50

Travel Expenses

Date	Description	Cost
16/11/2007	Tamworth - Smythe and Viney	\$ 693.20
29/03/2008	Wozniak - Sydney>Tamworth	\$ 292.60
29/03/2008	O'Donnell - Sydney>Tamworth	\$ 292.60
30/03/2008	Car Hire - O'Donnell 30-Mar to 04-Apr-08	\$ 721.46
30/03/2008	King - Sydney>Narrabri	\$ 345.60
04/04/2008	Wozniak - Narrabri>Sydney	\$ 345.60
04/04/2008	O'Donnell - Narrabri>Sydney>Narrabri	\$ 540.60
04/04/2008	King - Narrabri>Sydney>Narrabri	\$ 540.60
07/04/2008	Smythe - Sydney>Narrabri	\$ 345.60
07/04/2008	Smythe - Narrabri>Sydney	\$ 316.60
06/04/2008	Car Hire - O'Donnell 06-Apr to 12-Apr-08	\$ 749.38
06/07/2008	Sutherland - Sydney>Narrabri	\$ 394.60
06/07/2008	O'Donnell - Sydney>Narrabri	\$ 394.60
06/07/2008	Morgan - Sydney>Narrabri	\$ 394.60
11/07/2008	Sutherland - Dubbo>Sydney	\$ 385.61
11/07/2008	O'Donnell - Dubbo>Sydney	\$ 385.61
11/07/2008	Morgan - Dubbo>Sydney	\$ 385.61
06/07/2008	Car Hire - O'Donnell 06-Jul to 11-Jul-08	\$ 949.34
19/10/2008	O'Donnell, Sutherland - Sydney>Narrabri	\$ 792.90
19/10/2008	Wozniak - Sydney>Narrabri>Sydney	\$ 534.70
21/10/2008	Morgan - Sydney>Narrabri	\$ 301.54
24/10/2008	Sutherland - Dubbo>Sydney	\$ 385.61
24/10/2008	O'Donnell - Dubbo>Sydney	\$ 385.61
24/10/2008	Morgan - Dubbo>Sydney	\$ 385.61
19/10/2008	Car Hire - O'Donnell 19-Oct to 24-Oct-08	\$ 949.34
	Total	\$ 12,409.12

Disbursements (Witness)

Witness Expenses (Including Witness Travel & Accommodation)

Date	Description	Cost
01/04/2008	Comfort Inn Narrabri - Holland 30-Mar to 01-Apr	\$ 123.70
02/04/2008	Comfort Inn Narrabri - Doherty 31-Mar to 02-Apr	\$ 197.00
03/04/2008	Attendance - Lein - Lein Contracting	\$ 858.00
03/04/2008	Attendance - RLPB Vet - Slattery	\$ 623.62
04/04/2008	Attendance/Travel - Ashton - Ex Inspector	\$ 2,351.80

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Smythe Wozniak Solicitors
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24-Oct-08

Memorandum of Costs

In the Local Court of New South Wales at Narrabri
Royal Society for the Prevention of Cruelty to Animals, NSW -v- Ruth Downey

04/04/2008	Comfort Inn Narrabri - Jackson 30-Mar to 04-Apr	\$ 517.72
04/04/2008	Comfort Inn Narrabri - Ashton 30-Mar to 04-Apr	\$ 738.43
04/04/2008	Comfort Inn Narrabri - Kilgour DPI 30-Mar to 01-Apr	\$ 341.00
07/04/2008	Comfort Inn Narrabri - McConachie DPI 06 to 07-Apr	\$ 92.25
10/04/2008	Comfort Inn Narrabri - Jackson 06-Apr to 10-Apr	\$ 413.25
11/04/2008	Comfort Inn Narrabri - Ashton 06-Mar to 11-Apr	\$ 542.35
11/04/2008	Comfort Inn Narrabri - Doherty 09-Apr to 11-Apr	\$ 324.80
14/04/2008	Attendance/Travel - Ashton - Ex Inspector	\$ 1,791.20
18/04/2008	Attendance/Travel - Vet - Doherty	\$ 3,850.00
22/04/2008	Attendance/Travel - Holland - Ex Inspector	\$ 1,981.40
11/07/2008	Comfort Inn Narrabri - O'Shannessy 10-Jul-08	\$ 99.50
19/10/2008	Travel - Wright - Sydney>Narrabri>Sydney	\$ 588.70
19/10/2008	Attendance Fees - Wright - Vet	\$ 5,400.00
21/10/2008	Comfort Inn Narrabri - Wright 19-Oct to 20-Oct	\$ 208.80
23/10/2008	Comfort Inn Narrabri - O'Shannessy 23-Oct-08	\$ 102.50
23/10/2008	Travel - O'Shannessy - Syd>Narrabri>Syd	\$ 588.70
	Total	\$ 21,734.72

<u>s.30A-Expenses</u>	<u>Description</u>	<u>Cost</u>
18/06/2007	Graham Doherty, Veterinarian	\$ 1,580.00
	Total	\$ 1,580.00

SUMMARY

<u>Legal Costs</u>	<u>Description</u>	<u>Cost</u>
Professional Costs		\$ 82,437.05
Senior Counsel		\$ 85,800.00
Junior Counsel		\$ 78,470.00
Agency Costs		\$ 567.80
Accommodation		\$ 7,893.50
Travel		\$ 12,409.12
	Total Legal Costs	\$ 267,577.27
<u>Other Costs</u>	<u>Description</u>	<u>Cost</u>
Court Costs		\$ 6,277.00
Witness Expenses		\$ 21,734.72
s.30A-Expenses		\$ 1,580.00
	Total Other Costs	\$ 29,601.72

Total \$29,601.72

MY REVIEW for your informed consideration



There are no words of faith that can be associated with this NSW-RSPCA inspectorate only despicable.

From the President of the NSW RSPCA Andrew Wozniak's control of that organisation, to his multi-million dollar legal feed from that organisation, by assignment of prosecution briefs (only his firms is on the preferred list) the coffers of his legal firm have swelled for over a decade, making "**Smythe Wozniak Solicitors**" an unaccountable money tree.

A public funded organisation, this NSW-RSPCA is involved with legal hijacking of fees and expenses that include a flying Vet who charges for a private aircraft to and from court appearances. Not to mention the massive fees the legal eagles are charging.

The "TRUTH RIDER" returns for the cattle

Consideration must also be given to the NSW RSPCA footing the bill if, after they have bankrupted a farmer seeking legal costs is still below the memorandum of fees for Smythe Wozniak Solicitors.

Without prejudice we considered a scenario based on facts. We discovered hundreds of thousands of dollars being paid from the NSW-RSPCA account in legal fees, nothing to do with the Smythe Wozniak Solicitors submitted court fees to a magistrate. Not wishing to depart from their out of pocket expenses, lavish costs, could we be seeing this original account passing to the NSW-RSPCA boardroom for payment, then the underpayment fall retrieved as original cost is taken by the NSW-RSPCA. Then "**All The Presidents Men**" get their money every time they strike. Maybe Mr Andrew Wozniak can backtrack 10 years of accounts paid documentation to disprove this theory.

Why did the government, back in 2004, not look into the concerns of Green's Senator Lee RHIANNON who brought to the attention of NSW state parliament, her concerns that were prevalent then as they are now, still with most of the same players?

During the Downey court case there was a publication that shows court room juggling by the \$4,000 a day (over 4 weeks) RSPCA Senior Council choosing to attack Ruth's vet, suggesting she lacked experience and this was obtained in court from RSPCA Director and Vet Wright who claimed \$4,500 fees and was never called.

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ONE POINT OF COURT ROOM INTEREST TO RETAIN

For your information, in the court during his cross examination of Dr Coupe, SC Sutherland for the RSPCA referred to her at all time as, **Ms Coupe** never Doctor Coupe – then referring to the RLPB Vet, his witness, always as **Doctor Slattery**. This is a common ploy used by ill informed council who may be relying on suspect evidence, realising he is treading on quicksand.

There were so many of these presentations by the well rehearsed prosecution on a mission to discredit, it left the sole Defence Solicitor holding facts and evidence that were gold, either not tendered or glazed over by an army of experience.

Downey case: Vet says blood tests don't lie

STORY, - SIMON CHAMBERLAIN - THE NORTHERN DAILY LEADER 21/10/2008

THE level of suffering and distress among 48 cattle destroyed on the behest of the RSPCA on a Pilliga district property in June last year has been questioned by an expert witness.

Speaking in Narrabri court yesterday, Walgett veterinarian of 17 years' experience Dr Enid Coupé said blood tests from some of the cattle indicated levels of the protein albumin and globulin were within normal levels.

Dr Coupé said.

"Starving animals would have had extremely low albumin levels," she said, responding to questions from the defendant's representative Robert McKeown.

She was giving testimony in the case prosecuted by the RSPCA against Pilliga district septuagenarian Ruth Downey and said the tests indicated the cattle were not starving.

Mrs Downey was facing 96 charges of aggravated cruelty and failing to provide proper and sufficient food to 48 head of dairy/beef cross cattle. The cattle were shot under supervision by the RSPCA on June 14 last year.

Dr Coupé also said while giving evidence that, by not combining the results of blood testing with visual appraisal, an accurate picture of the true state of the drought-affected livestock was not apparent.

She said from viewing video footage and still images of the cattle, tendered as evidence, the cattle were strong and bright and were not showing signs of being moribund or of having mental depression. A number of the destroyed cattle had calves at foot or were about to calve.

Internal determinants including blood tests, heart rate and respiratory rate, body temperature, whether cows were pregnant or empty or had a parasite burden were factors Dr Coupé said should have been considered before the cattle were shot.

However under cross examination from Robert Sutherland SC, who was representing the RSPCA, Dr Coupé's level of experience with handling cattle was under scrutiny.

Mr Sutherland asked Dr Coupé how many cattle she had handled this year? "About six," was her reply. "And last year?" Mr Sutherland said. "About the same," Dr Coupe said.

Mr Sutherland noted that Rural Lands Protection Board vet, Dr Robert Slattery had said in his evidence last April, he had observed "the lethargy and dullness of long term malnourished cattle.

A retired stud breeder and experienced stockman, on viewing Dr Slattery was not impressed by his assessment of Ruth Downey's cattle "AS AN EXPERT"

Quote: *Slattery walked around the cattle as Ruth answered his questions. Russell (retired cattle breeder and stockman) felt he lacked experience and knowledge of cattle. eg: he thought one cow had a dislocated shoulder, whereas Russell realised it was simply because she was old (about 20years) with a large frame and lean condition.*

Consider the evidence I have presented in this small E-book of the NSW-RSPCA inquiry, if this criminal case against Ruth Downey went before a jury, which was denied to Mrs Downey, and they were presented with the witnesses video and audio evidence tendered in court, and then to have access to what I have presented to you the reader, they would be howling to launch an inquiry into this NSW-RSPCA overnight.

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RSPCA ANSWER TO HELPING DROUGHT AFFECTED FARMERS IN NSW

Ashton stated on first his visit to Ruth's farm - **"What do you want the RSPCA to do for you?"**

Ruth replied, **"Well you could buy me a load of hay."**

He replied, **"Oh we used to do that but we don't do it now because we haven't the funds."**

So with the DPI cutting off the stock feed to help drought affected farmers, due to Government funding cuts, not forgetting the \$500 million dollars it coast to run the Environment Climate Change sham with other departments on the NSW Government costing public money multi-millions of dollars to support public servants, the option was to destroy their stock as bullets are cheaper than feed and legislated powers normally do not attack an investigation like mine as most poor farmers capitulate to the thugs.

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THE COST OF THE DEAD CATTLE RUTH LOST

Ruth Downey has lost 48 head of what you may assess as either "Dead Cattle Walking, unable to stand" as the experts have done, or you may take a different view from photos published, she will not get a cent in compensation for the stock loss (*see act below*), she faces fines for not declaring the dead stock to the DPI and still has her own accounts for her witnesses plus paying Smythe Wozniak Solicitors nearly **\$300,000**

Prevention of Cruelty to Animals Act 1979 32A Compensation not recoverable

(1) Compensation is not recoverable against any person in respect of the destruction of an animal in accordance with section 26AA (1), 24J or 30 (2).

Vultures are gathering over her only asset, her farm.

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THE POLICE OFFICER LIED, LIED, AND LIED THEN GOT AWARDED FOR IT

When asked by the Downey family to produce documentation Constable Mark Mills referred to a document that allowed the RSPCA to use Ruth Downey's cattle yards; he said first he had read it; when queried a second time he stated it was in the police station, then refused to obtain this evidence.

CONSTABLE Mills, from experience?... classified Ruth's holding yards where the cattle were mustered, as a Paddock, understanding from communication by the RSPCA on site with

their superiors by phone that they didn't need to use their own portable yards, which they did not have with them, so finally Constable Mills informed Mrs Downey that her cattle yards "**now belonged to the RSPCA**". They needed a yarded area to execute the cattle, which they would not have needed had the cattle been in need of "euthanasia".

He admitted in court he lied to gain information for the RSPCA in order that the execution could take place without any opposition from either of her sons.

He threatened to lock this 73 year old lady in a police van.

Remember Constable Mark Mills did get a commendation for his job well done at Mrs Downey's farm, that did not mention his collusion, heavy handed authoritarian approach to a situation at which he was to be the mediator to both parties.

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Annual General Meeting 2008 Standing Orders

2008 ANNUAL GENERAL MEETING

TUESDAY 23rd DECEMBER 6PM

Standing orders for the 2008 Annual General Meeting are as follows:

1. *No member may circulate a written text to the meeting. Any written submissions must be submitted to the Board two weeks' prior to the AGM (Tuesday 9th December 2008) and Board consent must be obtained to circulate such a submission.*
2. *Members addressing the meeting may only speak with the Chairperson's consent and address all commentary through the Chairperson.*
3. *Individuals' address time is limited to 5 minutes with an extension of time only being granted by the President.*

How they control their AGM, (Annual Ghost Meeting), go check out the NSW-RSPCA website and see who got elected, and there are is no proze for a correct answer.

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EPILOG

Here I draw to a close this publication of evidence on file, awaiting the outcome of Mrs Downey's Appeal, already set in place. It is overwhelming.

There are many witnesses not associated with the NSW-RSPCA inspectorate that we have spoken to, and many that we have not spoken to, who will stand behind Mrs Downey as a person of impeccable integrity, caring devotedly for her animals with knowledge gained throughout sixty years of practical experience of good and bad seasons; practical knowledge which text books may never touch.

She has always lived by the law and never before in her 73 years has she had a problem with it. As I have demonstrated in this book, her inquisitors could not understand the particular husbandry for drought survival, which is understood by her peers who rely on knowledge and experience rather than government pamphlets, which the flunkies of the RSPCA tout like a religious science, sustaining their tunnel vision – a reliance on bureaucratic practice to maintain their existence.

Please forward this FREE publication to the world. This Australian RSPCA Inspectorate of NSW needs to be exposed WORLD WIDE. Funding the RSPCA supports this bloody disgrace under the name of "**Royal Society for the Prevention of Cruelty to Animals**".

Mal Davies