

**Submission
No 43**

INQUIRY INTO THE RSPCA VICTORIA

Organisation: JA Health Inland Holdings

Date Received: 1 March 2017

- **It is our opinion that the RSPCA should be liquidated (scrapped) all assets sold and monies returned to all those that they have injured. Those with power in the RSPCA appear to us to have no knowledge of animal husbandry, or the needs of stock.**

This is our story and experience of facts:

Australia's Own Beef Breed – Murray Grey Cattle

1968 Holdsworth – “Glenbrook” Murray Grey Stud was formed at Westmere, Western District , Victoria
Concentrating on breeding quality cattle, good temperament, building numbers up, entering carcass competitions.

1971 Ellison formed the “Norwood Brae” Murray Grey Cattle Stud at “Norwood”, Bairnsdale, Victoria. Ellison became very successful in the show ring, concentrating on Royal and Country Shows, Stud Cattle Auctions on property. Heather Ellison and Lionel Rogers formulated the East Gippsland MG Cattle Society.

1996 Ellison and Holdsworth amalgamated Norwood Brae and Glenbrook and formed a partnership “Ja Heath Inland Holdings” with 550 head of stud pure bred Murray Grey Cattle, property at Carrathool NSW

2000-2001 Worst drought for 100 years had started.

Drought caused us to move our whole herd onto Johnnes disease free stock routes (we had no bought in stock)

Kept stock on routes for 13 months walking 5-10km per day and locking them up at night at a cost of more than \$1500 per week.

Due to stock routes being closed due to lack of water we were forced to purchase 600 acres of land for \$360,000 in Corowa NSW. No feed available, no agistment. Farmers were baling straw, no molasses available, oil from fish and chip shops was used by some. When feed on that farm ran out we had to look for further agistment.

Feb 2003 Found agistment for cattle on green grass, plenty of water and shelter on 3000 plus acres at Framlingham Forest, Warrnambool Victoria

Received permission for agistment from Elders of Aboriginal Trust at Framlingham Forest to agist our cattle there. We later learnt the Aboriginal trust was under the control of Mr Geoff Clark. Stock transported to Framlingham Forest were: 271 Cows, 4 Bulls, 222 Calves. Two local farming identities were responsible for the daily welfare of the herd.

May 2003 Our last inspection 10 days prior to slaughter showed us, without any doubt the cattle were picking up well. There insides were working well and hides softening, approximately 50 new born calves were on the ground. All fine, happy and strong.

28th May 2003 James Holdsworth arrived at Carrathool after cropping at Westmere, said an RSPCA Inspector [REDACTED] wants to know where he is and what he is doing and [REDACTED] made arrangements to meet. James kept to the appointment time and waited but RSPCA Inspector [REDACTED] did not show up.

29th May 2003 James Holdworth & Heather Ellison were in Griffith attending to previously arranged business appointments.

At approximately 10am our stock overseer rang to tell James RSPCA officers are rounding up cattle with utes and running them into yards and shooting them. Instructions given for RSCPA to ring James – nothing. Witness later said a cow jumped a 6ft fence to get away from shooting, RSPCA Inspector [REDACTED] said shoot it.

29th May 2003 Night – back at Carrathool, James rang RSPCA [REDACTED] stated he had shot 100 cattle.

29th-30th May 2003 Travelled all night arriving 6:40am at Framlingham Forest gate. Searched the property and could only locate about 50 dry cows and calves – not ready for marketing. The yards were thick with mud (drought time), blood everywhere, truck marks, drag marks in yard. A mess and all our precious stock gone. Shock and disaster. 366 cattle missing and unaccounted for.

Approximately 8:30am attended Warrnambool Police and reported. The CIU Det Sgt [REDACTED], refused to investigate. Forced to do all investigations ourselves.

Huge – massive financial disaster, all future income gone. Over 4 decades work destroyed in a matter of hours.

Further investigation showed 131 cattle shot by RSPCA Inspector [REDACTED] RSPCA charged us.

RSPCA used clever tactics and false photography to endeavour to blame us on 131 charges of starvation and neglect.

June 2005 Magistrates Court, Ballarat

RSPCA charged us with cruelty to animals. We won the case with costs awarded to us. We were proven **NOT GUILTY**.

It took to **26th April 2007** to get our Court Awarded Court Costs from RSPCA. Amount paid was half of original due to a solicitors error. Had to be settled out of Court.

Decided to engage Civil Proceedings

2005 – 2014 Year after year of financial loss

RSPCA took our goods but not our mortgages

Result – Forced to sell 600ac at Corowa which was purchased for crop and cattle at a huge loss due to still in drought.

Forced to pay various Solicitors.

Future investment – 2 x 2 bedroom units sold and money used to keep current expenses at bay

High level of stress caused James to require open heart surgery

Properties run down

Had to work to get Civil Case against RSPCA going – all expense

Trouble with bank

Financial Company foreclosed loan on Corowa property.

James' personal property mortgaged to limit.

Financial Company instigated Sheriff possession over farm property in Bairnsdale to recover monies still owing. Forced to sell family home to pay outstanding debt created by RSPCA actions.

Heather's children had to rally to keep a roof over their mothers head, also to keep a car supplied for her. This could only be done by them extending their mortgages.

Insurance payment received to re-stump the house (due to problem from neighbouring property which had been undetected) was used to pay Barrister in preparation for Civil Case. House restumping and repairs are still to be done.

Our total loss over the past 14 years estimated at 6.5 Million Dollars

Civil Case heard Melbourne Court August 2014. We won Civil Case, costs awarded to us, and value of stock that went through the knackery. Only awarded costs for 131 cattle, 376 lost.

TODAY – 2nd MARCH 2017 HOLDSWORTH & ELLISON HAVE NOT RECEIVED ANY MONIES AS YET FOR COST AWARDED TO US.

Told by solicitor there won't be any left unless we can find missing cattle with pink stripes shown to be in RSPCA possession, then we will be awarded their value. Asked for mortgage payment, told there is no money left

WE NEVER DID ANYTHING WRONG

Stress has taken over with finance and health.

No monies to pay children's mortgage, they have their own children in State and High Schools – they have to be paid back

Facts: Tax records showed that the Partnership made \$237,000 in 2002, prior to slaughter.

Stock prices are now more than doubled what they were in 2002

Cattle yards, fencing, living standards, health, 7 families affected

All run down

Style of livelihood GONE

Everything GONE

For no other reason than greed, manipulated theft and deceit. RSPCA have lost and destroyed a business partnership, separate families, separate assets – loss of work- progress businesswise, maintenance on property – everything. Precious cattle bloodlines, valuable stock –everything.

As proven in 2 separate courts – 9 years apart, we, the accused ones did nothing wrong, but did good husbandry, and used every financial resource possible to maintain our breeders and calves, and everything possible to save our Pure Bred (no bought in cattle) Murray Grey herd whose bloodlines came from show achievements. We worked day and night to create the impossible – to save our herd from drought. Many cattle businesses did not succeed but lost their herds.

After Ballarat court case in 2005 where RSPCA falsely charged both identities of the cattle herd separately on 131 starvation and neglect charges, the Court showed the manipulation, false evidence, false paperwork, spoken deceit with their aim to steal other peoples goods, stock etc for

their own gain. They literally murdered livestock. We, cleared of all charges noted that not one person from RSPCA came forward and apologised to us, or say they were shocked or sorry to hear the evidence or anyone offering to make amends. If they did it would have saved them approximately \$7 Million of Public monies. And they would not have had to go to such lengths to save their muddy name in Civil Case in 2014.

Our Solicitor estimated the Civil Case would take 10 to 14 days in Court. Due to the RSPCA tactics the actual time the Judge was in Court approximately 74 days.

RSPCA tactics by solicitors in Court was disgraceful. Fabricated evidence, failed to produce documents, argued facts to “point of absurdity” – quote Judge Bowen. Wasted Court time, dramatically increased costs on both sides.

When RSPCA lost the case and were found liable they sacked their legal team and employed a new one. RSPCA appealed against the Court decision which they also lost. More costs and time wasted.

Due to massive increase in costs caused by RSPCA dragging the Court proceedings out all money awarded for loss of cattle has been taken to pay our solicitors and barristers.

40 years of work, a 14 year Court battle, the stresses and hardship associated with living below the poverty line whilst trying to fight for truth and justice has amounted to nothing, except being left homeless and a personal debt of over \$380,000 owed to my children that I’ll never be able to pay. Plus huge loss of assets and future business. James is in the same position.

Photos, paperwork and other information are all available for you.

James Holdsworth & Heather Ellison

Trading as Ja Heath Inland Holdings

Contact:

Heather Ellison

Ja Heath Inland Holdings

[REDACTED]

[REDACTED]