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CATTLE ARE DANGEROUS

SOPHIE MANSFIELD TELLS US MORE ABOUT THE CATTLE ON WISLEY COMMON, SURREY

- How Surrey Wildlife Trust promised "more careful consideration" would be given to introducing cattle on to the Common. But how they put even bigger cattle on to the Common instead
- How Surrey Wildlife Trust promised that any cattle involved in accidents would be removed. But how they weren't
- Finally, how, unbelievably, an official of Surrey Wildlife Trust, Dave Boddy, claimed that he was unaware that cows were calving on Wisley Common.

Says Sophie, "Surrey Wildlife Trust are completely useless! They were even so hopeless as to have no clue cows were actually calving on the common until I told them, and they show a complete disregard for the common users' safety. So I have nothing positive to say about them."



- Have you written to the Surrey Wildlife Trust?
- Were you satisfied with their response?
- Do you think they are concerned with riders and riders' interests?

[Please let us know](#)

Dont forget, the more we help each other, the more we'll be able to get things done

See letters below!!

Dear Sir/Madam

I am writing to you over concerns myself and Wisley village have in regards to the free range grazing of cattle on the common. Although my family are animal lovers and initially had no issues with the cattle, things soon changed. Originally the trial grazing period consisted of 8-10 adult cows, which created no problems. However, last year a new herd was introduced with cows of all ages, including some as young as 6 months old. The younger cattle were much more lively and intrusive to passers-by. This resulted in an incident at the end of last year, whereby myself and my neighbour were charged by a cow whilst we were out riding our horses. Our horses bolted and we were very nearly seriously injured. A few days after we spoke to a couple of other horse-riders who had been forced to dismount their horses whilst out riding, as it was too dangerous for them to ride through the cows. They informed us that they would never ride on Wisley common again as they feared for their own safety and that of their horses. Upon complaint to the Surrey Wildlife Trust, these cows were then removed for the winter. However, after being promised more careful consideration would be made when introducing a different set of cows this year, unfortunately it seems things have only got worse. An even larger herd was released, containing mothers and their calves, and pregnant adult cows left to calve freely in the common. This has resulted in numerous threatening and frightening encounters whilst dog walking, and horse riding. Adult mother cows are charging any passers-by in order to protect their young. There are many elderly residents in Wisley who are now being forced to seek alternative places to walk, as it is just too dangerous for them on the common.

I am not the only one to have made numerous complaints to Surrey Wildlife Trust about this situation, and yet one gets the impression the complaints are being ignored. The final straw for me, and the reason I am writing to you, came about when I was out riding my horse on Saturday 13th June. I saw a herd of particularly young cattle just ahead of me, and immediately decided to avoid them by taking an alternative route. However, the cows saw us, and began to run up the path straight towards me and my horse. Naturally my horse was extremely frightened (although she is used to numerous farm animals at home); spun and bolted sending me flying onto the hard ground. Luckily I always carry my phone on me, as by now there was no horse in sight and I was in a lot of pain. Thankfully the horse was retrieved safely about 1 ½ miles from where I fell, I had to be taken to A+E to be checked over; fortunately I sustained no permanent injuries. Immediately after, my father phoned up Surrey Wildlife Trust, in the hope that this time we would be listened to, and some action would be taken. He was told the cattle involved in any incidents would be removed. I was now left with a horse who was extremely frightened over the common, but at least with the young cattle removed I thought I could be able to regain her confidence around the quieter, more subdued older cows. However, after walking my dogs round Wisley common a few days later (18th June), I came across a whole herd of younger cows, and a mother and her newly born calf. This immediately concerned me, and once again, as on numerous occasions, I had to alter my walking route to avoid the threat posed to me because of these cows. I was furious to realise that the stress and injury to me and my horse were clearly of so little concern to the rangers responsible for the cows and users of Wisley common. I immediately rang James Adler (ranger responsible) who my father had previously spoken to, and had another lengthy conversation where I was told that there was no guarantee any cow would be safe around horses, therefore the age of the cow was irrelevant. I pointed out that any problems had involved mothers with their calves or young cattle like I had just seen on the common on my walk that morning. Upon which I was told by James Adler 'we don't consider 6 month olds as young cattle'. I stressed that whether they consider them young or not, they were the reason I had had a nasty fall, and therefore would have hoped action would have been taken to ensure this did not happen to anyone else. I was told a meeting was already planned for the afternoon, and I asked to be called back and informed of the result. A few hours later, I spoke to James Adler, who informed me that the situation will continue to be reviewed, and that it is an ongoing process. I asked for more specific details for what is actually being done, but I received the same non-response 'it will continue to be reviewed'.

I know for a fact now that there are less horse riders on Wisley common because they do not feel safe riding round the cows. Unfortunately, I have no choice as my only access to common riding is via Wisley common. This is only the case for me and my neighbour, and therefore we feel very isolated in this situation we have no control over. I would like to stress that I am not just anti-cattle grazing in anyway, and my family have always had a large number of farm animals ourselves. My issue is in the irresponsible management of the cattle grazing that is taking place, and the fact that it seems now only a life-threatening accident might be the only thing to actually make the Surrey Wildlife Trust take notice. After using Wisley common for 15 years, I am saddened to feel that the public right of way is being taken from us on public common land.

I should not have to remind you that you have a duty of care towards the general public whether they are on foot or horseback.

Yours Faithfully,
SOPHIE MANSFIELD BSc

Dear Mr Pearson

With reference to your letter dated 20th July 2009, in response to my letter dated 18th June 2009.

I am very disappointed with the attitude of the Surrey Wildlife Trust; I feel that the safety concerns of users of the common are being disregarded. Before the incident involving my horse and I, on 13th June, I know that several calls were made reporting the aggressive behaviour of the cows, as I have spoken to the particular villagers who made these calls. One of these people had concerns over their safety due to an aggressive mother, Dave Boddy actually returned this call and claimed to not even be aware there were any calves on the common. Obviously there is a flaw in the logging of these complaints.

I would be interested to find out which 'nearby' stables you spoke to. As I have now reiterated a number of times, myself and my neighbour are the only stables in Wisley, and therefore the only people who are forced to ride on the common. I now notice that very few horse riders use this side of the common. Other local stables, such as Silvermere, are lucky enough to have the option of avoiding the cattle.

I am in total agreement that dog owners should act responsibly around the cattle, but is it possible that the dogs reported as harassing the stock could have been chased themselves on a previous occasion? If this were the case it is unlikely dog owners will discourage their dogs from behaving in such a manner. Dog owners I have spoken to regarding the cattle tell me that they have to alter their direction when they are walking whenever they see any cows, because of their aggressive behaviour. Only this last weekend my elderly grandfather was stampeded by a group of cows. I do not know the cause of this, and quite frankly it doesn't matter. The fact that you are placing people at such risk, and show absolutely no regard for the public's safety is shocking. I urged him to report the incident but his response was it is not worth it because no one will take any notice. I wonder how many other common users adopt this attitude?

I can hopefully presume that when there is a fatal accident, then maybe Surrey Wildlife Trust will actually address this problem. As to your comment about enjoying riding on the common, I am afraid that this is not possible anymore now, either walking or horse riding. One has to be totally alert and cautious as to the presence of aggressive cows. Despite highlighting the fact that it is the young cattle causing problems, I still see more young than older cows on there. I think this demonstrates clearly how little interest you truly have over the safety of common users. I also think it is such a shame that this is reflecting so poorly on the image of the Surrey Wildlife Trust, an organisation I used to support.

Yours Sincerely

Ms S Mansfield BSc

Dear Mr Pearson

With reference to my previous correspondence with Mark Pearson, dated 14th September 2009.

It was recently brought to my attention the McKaskie v. Cameron Preston County Court case (see attached document). The county court verdict demonstrates the liability of a farmer to a person injured by cattle with calves while on or near a public footpath. I am writing to you about this due to my concerns I have expressed to you previously about the cattle grazing on Wisley common. I noticed a few of the facts involved in the McKaskie v. Cameron case seem to directly contradict things you have previously stated to me.

In a previous letter to me you stated that you 'did not consider 7 month old cows as young'; yet if I refer you to the attached case report, calves are described as being between 5 and 9 months. In particular the report states that 'it was an established characteristic of cows with calves at foot to be aggressive, especially towards dogs and people accompanied by dogs'. Not only have you previously stated to me in a letter that you 'took care to select breeds which are known to be of a gentle temperament', but the signs on the entrance gates into the common also explicitly state the 'placid' nature of the cows. This is deliberately misleading to the public, as there have actually been cows calving on the common, something reported as a 'known risk' in the court report. In the McKaskie v. Cameron case, the judge reported that just the act of walking across an open field where there are cattle grazing does not carry any obvious danger. Therefore, a person walking across the field would not have agreed to any risk by doing so. This can be compared to Wisley common, where users of the public common land are not agreeing to risk taking by using the land for recreation. In fact, common users are being deliberately misled to any potential risks by reassurances on signs on the gates into the common describing the cows as 'placid'. If I refer you to the legal duty of care 'to take such care as in all the circumstances of the case is reasonable to see that the visitor will be reasonably safe in using the premises for the purposes for which he is invited or permitted'. It would seem that the Surrey Wildlife Trust is not complying with this. In regards to the signage, practical guidance directed at farmers has indeed suggested signs warning of the presence of cattle with calves would be an appropriate method for warning the public. However, not only do your signs contain no reference to calves, but in the McKaskie v. Cameron case the judge rejected signage as a warning of risk. The judge reported the problems in finding wording 'sufficient to discharge the duty of care and protect the farmer from litigation'.

As mentioned in the court report, the 1971 Act reports that when an animal does not belong to a dangerous species, a keeper will still be liable if a 3-stage statutory test is met. Firstly, the injury caused must have been a likely one if the animal were left unrestrained. Secondly, the injury must be because of a characteristic not normally present in animals from the same species. Lastly, the keeper must be aware of such characteristics. In essence, when an animal has 'an unusual characteristic and causes injury, strict liability will continue to apply'. So in the McKaskie v. Cameron case it was found to be a 'breach of the farmer's duty of care to turn out cattle with calves at foot without fencing off the footpath'. Not only have the Surrey Wildlife Trust let cows and calves graze freely across the common with no appropriate warnings, but Dave Boddy also once reported in a telephone conversation with my mother he was unaware calves were even on the common. This shows complete negligence by the Surrey Wildlife Trust towards their duty of care for the public using the common.

I would also like to mention opinions you have previously expressed to me over irresponsible dog-walkers, and the possibility dogs are chasing the cows. You said 'there is a clear need for us here to educate our dog-walking visitors about the importance of controlling their animals'. I think it appropriate to bring up that only today as I was riding past 'Pond Farm', a border collie dog belonging to one of the rangers crawled under the metal gate and chased my horse down the path barking. After calling the dog's name once, the ranger went back into the converted barn building, shutting the door, leaving his dog outside barking at my horse. Luckily my horse is used to dogs and it did not pose a problem, but I was surprised to see that perhaps it is not just the dog-walking visitors who need educating on controlling their dogs.

I would be interested to hear your comments on this matter.

Yours Sincerely

Ms S Mansfield

CC. Mr Nigel Davenport