

July 2025 Issue 148

FARRIERS REGISTRATION COUNCIL

# Bulletin

REGULATING THE PROFESSION OF FARRIERY



*Future of the  
Farriery Profession*

# Contents >>>

## Contents

### Council Meeting Minutes

Minutes of the AGM  
held on 30 April 2025 7

Minutes of the Council Meeting  
held on 30 April 2025 8

### Featured Article

Future of the Farriery Profession –  
some thoughts from the Chair,  
Farriers Registration Committee 3

### Guidance

CPD – Assistance for Registrants 5

Approved Training Farriers  
(ATF) Q&A 11

### Hearing Updates

Disciplinary Committee Hearings 14

### Notices

Policy Statement on Abuse,  
Bullying, Harassment and  
Intimidation 6

Annual Report 6

Council Meeting Dates for 2025 10

Higher Qualifications Achieved 50

Temporary Licence Applications 50



## Diary dates

Please note the following dates for 2025.

### **27 and 28 September 2025**

Farrier Focus, Stoneleigh

### **7, 8, and 9 November 2025**

Your Horse Live, Stoneleigh

## Future of the Farriery Profession - some thoughts from the Chair, Farriers Registration Council



This year marks the 50th year of regulation of farriery in Great Britain, 50 years since the passing of the Farriers Registration Act. Perhaps at this milestone it is time to pause, only for a moment, and take stock of the achievements of the last 50 years and look forward to the next 50!

In the way of achievements, I think we can all be proud of the way the profession has responded and moved ahead with regulation. There have been two updates to the Farriers Registration Act, the most recent and significant being in 2017, bringing about much-needed modernisation of the Council's constitution.

Apart from death and taxes, one of the few certainties in life is change. Change is constant and continuous. It is happening now and will continue to happen. It was John Lennon who said, "Life is what happens while you're making other plans!" Perhaps with this in mind, we should take a closer look at the future and the challenges to be addressed.

The profession needs to identify its goals and how it is going to get there. This requires an identification of what is going to be key to the success of the profession in the middle of this century and what path needs to be followed to get there. A strategy for the profession, to guide this process, is the responsibility of the Head of Profession (WCF). The WCF should engage with this issue with some urgency.

Also urgent, and perhaps the most important issue of all, is how to identify and recruit potential farriers. The traditional way of farriery as a family business is no longer producing the new apprentices required to maintain numbers. The profession has been spoilt in the past in the way that new apprentices have found the profession. Times have changed and now the profession needs to compete with other industries and go out there and persuade young people that farriery is a worthwhile career and to come and join us. Nature abhors a vacuum and if there are not enough farriers to meet the demand then other 'paraprofessionals' will appear in one form or another to meet the demand.

Training has not changed significantly in 50 years! Is there one other industry where it has remained the same for 50 years? - I think that is unlikely. I think we are all aware that, particularly of recent, the reason it has stayed the same is not because it is successful but through a misconception that if it's not broken don't fix it. The simple fact is that it is broken, and it has to be fixed. Certainly, current achievements at the EPA suggest that intervention is required. Recently only one of 22 candidates successfully completed each part of the EPA at the first attempt. This is unacceptable. Those responsible for training delivery, the training farriers and colleges, must ask themselves why this has happened and what they are going to do to correct it. This may well be a turning point in training. It absolutely confirms that the current system is not working. Rather than finger-pointing to apportion blame, there should be critical examination and a preparedness for change. Major change should not be shied away from if that is what is needed. It cannot continue as it has in the past.

The profession has the input into this and must decide what it wants. Make no mistake here, the industry needs to engage and discuss what it wants in a day-one qualified farrier and how it intends to get a person to that stage. Is a c4 year apprenticeship required? Is it attractive for young people to sign up for that length of time on what is usually the minimum apprentice wage? Does it even work for the ATF anymore? It is suggested that lack of ATFs is an issue, but the fact is that in the majority of farriery businesses, being an ATF is no longer a viable business plan. Training is going to change because it has to. Better that the industry puts forward its own ideas for this – no one knows a business better than those working in it. If the industry does not, then changes will be made by outside bodies who may well not be so well informed. I should point out here that this is not the job of the FRC. The role of the FRC is to regulate, not to innovate.

# Featured Article >>>

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Training is out of touch with the modern way of doing things in so many ways. This makes it less attractive to new recruits. Key points that should be considered include:

- How assessments are made. Courses in other industries are now assessed as they progress, rather than one big memory test at the end.
- Is the course still relevant to the needs of a farrier?
- Is shoemaking really needed in today's world? A 'nice to have' without doubt, but does it really justify the time, effort and expense that goes into training an apprentice to make shoes?
- Perhaps those that want to make shoes should be able to access other courses whilst or after qualifying to gain that skill.

This is a very contentious thought that will generate much heat, but what is needed is light!

Finally, remember where responsibilities lie outside of training delivery. The Council regulates the profession; it does not lead it. Our role is primarily to protect the interest of the public and their animals. The FASG, led by a working farrier, is the industry body to whom the Department of Education looks for the standard and the assessment plan. The WCF has a responsibility to lead the profession and ensure its well-being, now and in the future. It would be good to feel that they were placing more emphasis on this aspect of their role.

Finally, remember that what is important is to be proactive and manage change, not let change manage you. This means acceptance of the inevitability of it, realistic acceptance of what the options are, and then guide it towards the outcome that you, the farriery industry, want.

**Dr J Sutton, BVetMed, Cert EP, MRCVS**  
**Chair of the Council**



## Continuous Professional Development (CPD) - Assistance for Registrants

The second audit of CPD since the extension of the CPD programme in January 2023 is now underway. Letters have been sent to those selected for audit of CPD records since 2024; the FRC is pleased to see an encouraging uptake of the CPD programme in the majority of cases.

As a mandatory requirement registrants will be aware that in instances of non-compliance either by failing to make a submission or by failing to achieve the prescribed CPD levels, the audit panel may direct that a referral be made to the Investigating Committee (IC) as a matter of serious professional misconduct. It is important, therefore, that registrants are clear on the requirement; initial assessment of some records submitted for audit highlights areas where registrants appear unclear of the requirement, and what may or may not be considered to be CPD.

We take this opportunity to address some of these areas and matters arising:

<p><b>Queries relating to the age of a registrant selected for audit</b></p>	<p><i>All those on the Register are required to undertake CPD regardless of age, qualification, experience or current farriery activity. An individual planning to retire imminently will still be expected to undertake CPD and could possibly be selected for audit; those who have left the Register will not be selected for audit.</i></p>
<p><b>Complaints about being selected for audit</b></p>	<p><i>Registrants should be aware that selection for CPD audit is made on a random basis and that any repeated selection is random not intentional. By virtue of their role ATFs should be aware that they will be subject to an audit of their CPD record every year.</i></p>
<p><b>Registrants not submitting their CPD records</b></p>	<p><i>In line with requirements listed in the Farrier, Approved Training Farrier &amp; Apprentice Code of Professional Conduct which states that a registrant must respond promptly and constructively to any request from the FRC, registrants must submit details of their annual CPD record when requested to do so.</i></p>
<p><b>Recording but not submitting points online</b></p>	<p><i>For those registrants using the online CPD tools within My FRC (<a href="http://www.farrier-reg.gov.uk">www.farrier-reg.gov.uk</a>) it is important to read the instructions and ensure that you have completed the necessary steps to submit your records to the FRC. Please note that recording CPD activities alone does not constitute submission to the FRC and that submission of the year's CPD activities is a separate step.</i></p>
<p><b>Submitting illegible handwritten records</b></p>	<p><i>For those registrants who do not wish to use the FRC's online facilities, typed or handwritten CPD records are acceptable and should be supplied to the FRC upon request. It is important to note that illegible records will not be accepted and will not count towards meeting the requirement.</i></p>
<p><b>Omitting information / providing too much information</b></p>	<p><i>All records must contain a registrant's full name and address, event/activity details, date, duration and a good description as to the learning benefit of the activity. It is important to include the number of CPD points claimed for each activity and a total over the year. Registrants should note that the FRC will not calculate the number of points claimed for a particular activity; registrants are required to do this.</i></p> <p><i>Registrants should note that there is no necessity to provide copies of certificates of attendance at events and photographs of work undertaken.</i></p> <p><i>Lengthy correspondence describing successes and experiences throughout a long career are not relevant and do not constitute CPD.</i></p>

<b>Not recording enough CPD activity</b>	Registrants must record a minimum of 20 hours CPD activity annually (10 CPD points). Where a registrant can demonstrate 60 hours (30 CPD points) over the last 3 years the FRC will accept this when the annual requirement is not achieved.
<b>Failing to provide a description of what was learnt</b>	In addition to the event/activity name or title CPD returns must include a description of the learning benefit. It is important that you provide sufficient detail about what was learned by taking part in the activity. Registrants are encouraged to think about the phrase "by taking part in this activity I learnt ....". An activity or event titled 'shoeing' will not be considered to have enough detail and may be disallowed.
<b>Claiming CPD for teaching activities</b>	Teaching others does not necessarily constitute CPD learning. Where you are teaching a subject that is new and necessitates learning and preparation to do so, that time may be considered a learning activity and therefore CPD. Subsequent repetitions of that activity may involve preparation but will not be considered to provide a registrant with a learning opportunity.
<b>Claiming CPD for taking part in farriery competitions or acting at a steward/duty farrier at a show.</b>	If a farrier is required to do something they have not done before when participating in a competition or show, perhaps with feedback being provided, then there is a learning benefit which will count as CPD. The key criteria is learning benefit and including this learning benefit in a submitted CPD record; where a farrier makes a shoe they have made many times before and receives no learning benefit then this does not constitute CPD.
<b>Claiming CPD for non-farrier related activities</b>	The CPD Guide states that to be relevant CPD has to be relevant to the farrier in their professional role or to the running of their farriery business. Therefore, there may be opportunities to gain CPD that is not equine based e.g. learning a new accounting system, updating yourself on Health and Safety, First Aid, or employment legislation. Instances of learning which are not relevant, such as learning to ride a motor bike or attending a speed awareness course in lieu of penalty points or a fine, will be disqualified as irrelevant when assessed at audit.

## Annual Report

The Annual Report for 2024 is now available to view on the Council's website [www.farrier-reg.gov.uk](http://www.farrier-reg.gov.uk)

Hard copies of the Annual Report are available upon request from the FRC Office.



## Policy Statement on Abuse, Bullying, Harassment and Intimidation

The FRC staff are committed to providing you with the highest level of service on behalf of your regulatory body at all times; the FRC staff have the right to provide that service in a safe environment.

The FRC will not tolerate abuse, bullying, harassment and intimidation aimed at the FRC staff. This includes threats of violence and includes actions made in person, on the telephone or via any electronic means. Should such behaviour take place the FRC staff may refer the incident to appropriate law enforcement or civil authorities, and staff may refer the incident to the Investigating Committee of the FRC.

Thank you for your consideration.

# Council Meeting Minutes >>>

## Minutes of the Annual General Meeting (AGM) held on Wednesday 30 April 2025

### 1. Apologies for Absence and Welcome

The Chair welcomed everyone to the meeting and highlighted that the meeting was also marking 50 years of the Farriers (Registration) Act.

Apologies had been received from Operations Superintendent K Colman and Mr M Weston.

Mr B Howson, Mr S Green, Mr R Kearn and Mr C McKell were welcomed to their first meeting as the newly elected members of the Council.

Council Members were thanked for maintaining the confidentiality of the Council papers published on the intranet and were reminded of the video conferencing etiquette.

### 2. Declarations of Interest

Council Members declared possible conflicts of interest as follows:

**Mr Y Breisner** – BHA representative, horse owner and Trustee of British Horse Foundation and World Horse Welfare

**Mr A Charlwood** – appointed by the WCF and WCF Liveryman and Honorary Assistant

**Mr I Davidson** – appointed by Scottish Enterprise

**Mr S Green** – working farrier, member of BFBA and horse owner

**Mr D Harman** – working farrier, WCF Liveryman, member of the BFBA and BFBA Executive Committee

**Mr B Howson** – working farrier, member of BFBA and horse owner

**Mr R Kearn** – working farrier

**Mr R May** – working farrier, appointed by the WCF, WCF Court Member, member of the BFBA and horse owner

**Mr C McKell** – working farrier

**Mr D Mountford** – appointed by RCVS, Chief Executive of BEVA, Chair of British Horse Council

**Mr M Peaty** – appointed by the RCVS, Veterinary Surgeon and horse owner

**Mr M Potter** – Appointed by and CEO of Lantra

**Mr J Sim** – working farrier, member of the BFBA and BFBA Executive Committee

**Dr J Sutton** – appointed by the WCF, Liveryman of WCF, FEI Anti-Doping Official and Equine Insurance Underwriter

### 3. Minutes of the Annual General Meeting – 24 April 2024

The approved minutes of the Annual General Meeting held on 24 April 2024 were noted.

### 4. Matters Arising from the AGM which are not Agenda items and which have not been progressed at ordinary Council Meetings

There were no matters arising.

### 5. To Approve:

#### 5.1 Committee Membership 2025

The Council noted that on 1 January 2025 the following Registered Farriers were appointed to the Council by way of the election completed in Autumn 2024;

- Mr S Green AWCF
- Mr BJ Howson AWCF
- Mr R A Kearn DipWCF
- Mr C D McKell DipWCF

The Council considered membership of its committees for 2025 and decided as follows:

Registration Committee (RC) – The Council **APPROVED** the continued appointment of Mr Y Breisner as Chair and the membership of the RC.

Approvals Committee (AC) – The Council **APPROVED** the continued appointment of Mr M Peaty as Chair and the membership of the AC.

Finance Committee (FC) – The Council **APPROVED** the continued appointment of Mr A Charlwood as Chair and the membership of the FC.

A list of Council Committee membership and Council representatives to the Farriery Apprenticeship Steering Group (FASG) set out at Appendix A to these Council minutes was considered and **APPROVED** by the Council.

#### Notice of Election for position of Deputy Chair of the FRC

Following appointment of Dr J Sutton as the Chair of the Council effective from 1 January 2025, Council Members were given formal notice that an election to appoint a new Deputy Chair of Council was to be held on 20 June 2025. **Council Members were invited to contact the FRC Office to request a nomination form if they wished to stand.** Completed nominations and supporting Statements of Support were to be submitted by 12.00hrs on Wednesday 11 June 2025.

# Council Meeting Minutes >>>

## Minutes of the Council

### 5.2 2024 Audited Accounts

Mr Charlwood presented the Audited Accounts for 2024 for Council approval. Mr Charlwood recorded his thanks to Nicola Finck and Kieran Denman for accurately preparing the accounts that had been endorsed by the Auditors without any need to issue a management letter.

The Council **APPROVED** the Audited Accounts for 2024.

### 5.3 2024 Annual Report

The Council considered the draft Annual Report for 2024.

The Council **APPROVED** the draft Annual Report for 2024 for publication. It was noted for future consideration that in some areas there were figures provided without direct comparison to the same data recorded during the previous year. The Council was reminded the report, including the audited accounts, would be published on the FRC website and hard copies made available on request.

## 6. To Note:

### 6.1 Annual Declarations and Confidentiality

It was noted that in accordance with the 'Countering Financial Crime Risks' policy, Office Holders and Council employees had completed an Annual Declaration for 2025. Additionally, Office Holders had submitted annual confidentiality statements.

### Any Other Business (AOB)

There were no matters of AOB.

*The meeting concluded at 10.40*

### Annex A: FRC Policy and Guides APPROVED during this meeting

- 2024 Audited Accounts
- 2024 Annual Report

James Sutton – Approved 23/05/2025

## 1. Welcome and Apologies for Absence

Apologies had been received from Operations Superintendent K Colman and Mr M Weston.

## 2. Declarations of Interest

Council members declared possible conflicts of interest as follows:

**Mr Y Breisner** – BHA representative, horse owner and Trustee of British Horse Foundation and World Horse Welfare

**Mr A Charlwood** – appointed by the WCF and WCF Liveryman and Honorary Assistant

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## 3. Notification of any items to be raised under 'Any Other Business' (AOB)

No matters had been submitted by Council Members ahead of the meeting. The Chair informed members he had 4 matters to address under AOB.

## 4. Approval of Minutes

The minutes of the Council meeting held on 16 October 2024 and the Extra Ordinary meeting held on 16 December 2024 were noted for reference purposes only; the minutes had previously been approved by the Council out of committee.

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# Meeting held on Wednesday 30 April 2025

## 5. Matters Arising which are not Agenda Items

There were no matters arising to be considered.

## 6. To Receive and Consider the following Reports, Council Committee Minutes and Associated Papers:

### 6.1 Minutes of the Registration Committee (RC) Meeting of 4 March 2025

The Council noted the minutes of the RC meeting held on 4 March 2025. The Chair of the RC, Mr Breisner reported that the RC had looked at the data provided on the Register and the additional data collated on age profiling in detail. Council members noted the reduction in the number of farriers in the younger age bracket of 20-24, this was attributed to an increasing number of mature apprentices who once qualified would fall into an older age bracket, increasing numbers of newly qualified farriers taking time out to travel before registration and that there was still a further cohort to be added during the year for 2025. The RC had taken the view that the ATF/Apprentice system could respond to meet any future demands for apprenticeship entry.

The RC had additionally considered the Council's social media and advertising presence. The RC had concluded that it did not support the introduction of a social media presence, but it did recommend that the FRC increase its digital advertising linking to the FRC's website with online media outlets such as Horse and Hound and Your Horse Online. **Council APPROVED the expansion of the FRC's digital advertising.**

### 6.2 FASG Update

The Registrar verbally updated Council on the latest developments by the Farriery Apprenticeship Steering Group (FASG) who had met on 5 February 2025 under the chairmanship of David Hall BSc (Hons) DipWCF (Hons). The meeting had been called to set the terms of reference for review of the Farriery Apprenticeship Standard and the Assessment Plan; it was understood under latest Government policy that these would be reviewed on a more regular frequency of every 3 years. The Assessment Plan discussions had generated different points of view amongst those in attendance; a key focus had been around the first time pass rate by Apprentices which was below Government expectations, and an unexpected low pass rate by apprentices of the unshod trim element of the assessment. It was suggested that this may be due to

apprentices not maintaining their skills throughout the apprenticeship. Additionally, there was consideration of the direction of other apprenticeships and a reduction in the number of assessment methods adopted as part of the final assessment.

Council members were reminded that the Institute for Apprenticeships and Technical Education (IfATE) was an arm's length body of the Department of Education (DfE) and worked with different industries to create the standards for industry specific apprenticeships. The FASG's role was to seek the views of the industry and to put them to IfATE. It was understood that Mr Hall was awaiting latest Government direction before any further progression was made.

[The Chair concluded the open session of the Council Meeting]

## 7. THE FOLLOWING AGENDA ITEMS 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, 7.11, 7.12, 7.13, 7.14, 7.15 and 7.16 WERE CONDUCTED IN CLOSED SESSION OF THE COUNCIL TO CONSIDER MATTERS OF POLICY DEVELOPMENT AND COMMERCIAL SENSITIVITY

7.1 Non-Practising List (NPL) Policy

7.2 CPD Policy and CPD Guide

7.3 CPD and Returning to the Register after 3 years Policy

7.4 Recognition of alternative military qualifications for the purposes of being an ATF

7.5 Report of the Approvals Committee

7.6 Aptitude Test for Overseas Applicants

7.7 Minutes of the Finance Committee (FC) Meeting of 26 March 2025

7.8 Environmental and Sustainability Policy

7.9 Risk Management Policy

7.10 Rules for Appointment to FRC by way of Election

7.11 Policy and Procedures for Council Meetings

7.12 Disciplinary Committee Remuneration Policy

7.13 Office Holder Expense Policy

7.14 Financial Crime – Money Laundering Risk Assessment

7.15 Register of Farriers and Registration Policy and Procedures

7.16 FRC Website Terms and Conditions

# Council Meeting Minutes >>>

## 8. Any Other Business:

### 8.1 Farriery in Northern Ireland

The Council was informed that the Chair of Council and Registrar had been invited to a meeting with Minister Baroness Hayman re a possible extension of the Farriers (Registration) Act to Northern Ireland. A back brief following the meeting would be provided to the Council.

### 8.2 Your Horse Live 2025

The Registrar reported that the Council would have a stand this year at Your Horse Live (7-9 November 2025) and Council Members were invited to volunteer to help man the stand over the weekend. Council members interested in attending were asked to notify the office of their availability.

### 8.3 Farewells

The Chair highlighted that it was Mr Marcus Potter's last meeting and recorded his gratitude for Mr Potter's contributions to the Council since his appointment in 2018.

### 8.4 50 years of the Farriers (Registration) Act

The Chair concluded the meeting and invited Council Members to enjoy the lunch and celebrations that had been provided to mark the occasion.

*The meeting concluded at 12.04pm*

*Date of Next Meeting – Wednesday 22 October 2025*

## Annex A: FRC Policy, Guides and Reports APPROVED during this meeting

- Non-Practising List Policy
- CPD Policy and CPD Guide
- CPD and Returning to the Register after 3 years Policy
- Recognition of alternative Army qualifications for the purposes of being an ATF
- Environmental and Sustainability Policy
- FRC Risk Management Policy
- Rules for appointment to FRC by way of Election
- Policy and Procedures for Council Meetings
- Disciplinary Committee Remuneration Policy
- Office Holder Expense Policy
- Financial Crime – Money Laundering Risk Assessment
- Register of Farriers and Registration Policy and Procedures
- FRC Website Terms and Conditions

James Sutton - Approved: 23/05/2025



## Council Meeting Dates for 2025

The Farriers Registration Council (FRC) meets twice a year.

The next Council Meeting for 2025 is scheduled for **Wednesday 22 October 2025**.

Agendas will be posted on the FRC website at [www.farrier-reg.gov.uk](http://www.farrier-reg.gov.uk)



## Approved Training Farriers (ATFs) Q&A

An Approved Training Farrier (ATF) is a Registered Farrier who in partnership with a training provider, may deliver education, training and development to an employed farriery apprentice and who provides training & mentoring in the workplace. The following Q&A has been put together to help address questions interested registrants may have about making an application to join the ATF List. The information also provides a reminder to existing ATFs of the requirements to remaining on the ATF list.

<b>Q</b>	<b>What does an ATF do?</b>
<b>A</b>	<p><i>The role of the ATF is to teach an apprentice to the required industry standard. To do this they will need to ensure that preparatory actions have been completed prior to the commencement of the apprenticeship; therefore, they will need to have issued an employment contract and arranged a Apprenticeship Training Services Agreement with the appropriate college before the apprentice can commence their apprenticeship.</i></p> <p><i>The ATF is responsible for the training, health, safety and welfare of their apprentice for the duration of their employment, including ensuring they are achieving at an acceptable standard of progress through liaising with their chosen college. The ATF is accountable to their regulator (FRC) for farriery work carried out by their apprentice while under the terms of their apprenticeship. Further information is available from the Employer and Training Provider Guide and the Apprentice Guide available through the college.</i></p>
<b>Q</b>	<b>What are the FRC's expectations of an ATF?</b>
<b>A</b>	<p><i>An ATF is expected to deliver not only the highest professional standards of farriery, and associated business and professional skills, but to have patience, a desire to impart knowledge to an apprentice and a willingness to engage with the farriery colleges.</i></p> <p><i>In addition, ATFs are required to maintain the core values of a Registered Farrier, to uphold the good reputation of the farriery profession, be honest and trustworthy and to understand and comply with legal obligations; in short, an ATF should act as a positive role model for the Apprentice.</i></p>
<b>Q</b>	<b>Who can apply to become an ATF?</b>
<b>A</b>	<p><i>To apply to the ATF list an applicant must be a current Registered Farrier with 2 or more years practicing experience. The applicant must have successfully completed a higher Farriery Qualification or have achieved another equine/farriery related higher qualification at Higher Diploma/Degree level; and, must have successfully completed the Train the Trainer Farrier Award (TTFA), or an equivalent coaching/training certificate.</i></p>
<b>Q</b>	<b>How do I apply to be an ATF?</b>
<b>A</b>	<p><i>Registered Farriers who may be interested in applying to be an ATF will need to contact the FRC for an application form which should be completed in full and returned to the FRC. Applications may also be made online via the My FRC area of the FRC's website at <a href="http://www.farrier-reg.gov.uk">www.farrier-reg.gov.uk</a>.</i></p> <p><i>The application process includes a requirement to provide a statement setting out the reasons why they wish to take up an appointment as an ATF. Applicants may wish to take the opportunity to set out why they consider themselves well suited to the role of trainer, and any other factors they consider relevant to support their application.</i></p> <p><i>Applicants must also provide supporting character references from each of the following; a client, a Veterinary Surgeon; a Registered Farrier of at least six years registration and an Accountant. References must be dated and signed and include the full name and contact details of the referee. Referees must have known the applicant for a period of at least 2 years, and in addition the Registered Farrier referee must have been registered for at least six years. References will not be accepted from family members. References provided by an Accountant should include a statement confirming that the applicant's business can support the costs of employing an apprentice at the time of application. For those individuals who do not employ an accountant the ATF applicant may provide a letter self-certifying that their business is able to sustain the costs of an apprentice.</i></p>
<b>Q</b>	<b>Is there a cost to apply to become an ATF?</b>
<b>A</b>	<p><i>The current ATF Application Fee is £120, payment of which must be made at the time of application.</i></p> <p><i>If the application is unsuccessful a refund of the application fee will be made less an administration charge of £25.</i></p>

<b>Q</b>	<b>How long will my application take?</b>
<b>A</b>	<i>The application process may take a number of weeks and there is no automatic approval. In cases where further information is requested, or where the Registrar may decide to refer an application to the FRC's Registration Committee, a decision may be deferred for several months. The FRC, therefore, recommends that applicants do not make agreements or arrangements with potential apprentices or with training providers until such time as their ATF application is approved.</i>
<b>Q</b>	<b>How will I know if my application has been successful?</b>
<b>A</b>	<i>Where approval is granted the FRC will advise the applicant in writing of the outcome. The applicant will receive an ATF card and their name will be added to the ATF list. Where an application is declined the FRC will contact the applicant in writing to advise of the outcome and the applicant will have the opportunity to appeal against the decision</i>
<b>Q</b>	<b>What must I do to remain on the ATF list after approval?</b>
<b>A</b>	<i>Once approved ATFs must adhere to the following in order to remain on the ATF list:</i> <ul style="list-style-type: none"> <li>■ <i>Make payment of the FRC's Annual Retention fee and ATF fee by the due date i.e. no later than 31 December each year;</i></li> <li>■ <i>Be complaint with all FRC policies and procedures e.g. matters relating to professional conduct, submission of an Annual Return and submission of an annual CPD record.</i></li> <li>■ <i>Undertake the yearly ATF training held at any of the Colleges delivering the farriery apprenticeship irrespective of current apprentice employment.</i></li> </ul> <i>Failure to pay annual fees on time will result in immediate removal from the Register and the ATF list. An ATF removed from the list for non-payment of the annual retention fees must reapply to re-join the ATF list but may not do so, except at the discretion of the Registrar, until after a period of 2 years.</i> <i>For matters relating to non-compliance to FRC policies and procedures an ATF may be subject to an ATF review.</i>
<b>Q</b>	<b>In what circumstances might an ATF be removed from the list?</b>
<b>A</b>	<i>Other than by way of resignation removal from the ATF list may take place in the following circumstances:</i> <ul style="list-style-type: none"> <li>■ <i>interim suspension following receipt by the FRC of a complaint where there is concern of a threat to public safety or health, and/or apprentice safety or health and/or animal welfare; and/or,</i></li> <li>■ <i>following a finding of Serious Professional Misconduct by the Disciplinary Committee and the award of a sanction of removal or suspension from the Register; and/or</i></li> <li>■ <i>as the result of an ATF Review.</i></li> </ul>
<b>Q</b>	<b>What is an ATF review?</b>
<b>A</b>	<i>An ATF review is a paper-based exercise which considers the conduct of a farrier during the term they are an ATF. Prior to the review taking place the ATF will be written to and will be given an opportunity to provide details of their position in respect of the complaint or concern. The review will be conducted by the Registrar and the ATF will be written to with the outcome and decision of the Review.</i>
<b>Q</b>	<b>Why would there be an ATF review?</b>
<b>A</b>	<i>The Registrar will conduct a review for a number of reasons, some of which are shown below as examples:</i> <ul style="list-style-type: none"> <li>■ <i>Receipt of a complaint or concern</i></li> <li>■ <i>Concerns relating to adherence to FRC policy</i></li> <li>■ <i>ATF has had a total of three apprentices or more leaving their employment part way through their apprenticeship</i></li> </ul>
<b>Q</b>	<b>When can an ATF be suspended from the ATF list?</b>
<b>A</b>	<i>Where there is concern of a threat to public safety or health and/or apprentice safety or health and/or animal welfare, the Registrar may direct an interim suspension from the ATF list pending an ATF review and/or referral to the Investigating Committee.</i>
<b>Q</b>	<b>Can a review decision be appealed?</b>
<b>A</b>	<i>Yes, where an ATF review concludes with a decision of removal or with the application of conditions, the ATF has the opportunity to appeal the decision to the Appeal Panel.</i>

## ATF Annual Training & Train the Trainer Farrier Award (TTFA) Dates

### ATF Annual Training Days

ATF policy sets out that continued retention on the ATF list is dependent on annual attendance at one of the three College ATF training days irrespective of whether the ATF has an apprentice currently in training or not.

The FRC will publish information on future ATF training days when details become available. Please check back to the FRC website at [www.farrier-reg.gov.uk](http://www.farrier-reg.gov.uk) for updates or contact the Colleges directly.

### Train the Trainer Farrier Award (TTFA)

For registrants interested in applying to become an Approved Training Farrier (ATF) one of the requirements is successful completion of the Train the Trainer Farrier Award (TTFA) at one of the farriery colleges or an equivalent coaching/training certificate by other providers.

For further information on schedule TTFA courses please contact the Colleges directly:

**Herefordshire, Ludlow and North Shropshire College (Holme Lacy)**

[www.hlcollege.ac.uk](http://www.hlcollege.ac.uk)

Tel: 01432 870316

**Myerscough College**

[www.myerscough.ac.uk](http://www.myerscough.ac.uk)

Tel: 01995 640611

**Warwickshire College Group (Moreton Morrell)**

[www.warwickshire.ac.uk](http://www.warwickshire.ac.uk)

Tel: 0330 135 6849

Registrants are reminded that the suitability of an equivalent coaching or training certificate or qualification will be a matter for the consideration of the FRC; please contact the FRC for further information.



## Disciplinary Committee Hearings

**DISCIPLINARY COMMITTEE (DC): Mr P KING DIPWCF**  
Set out below is the determination and decision of the DC in respect of Mr King; the determination and decision may be read on the FRC website at [www.farrier-reg.gov.uk](http://www.farrier-reg.gov.uk)

### THE CHARGE

*'That, being registered under the Farriers (Registration) Act 1975 (as amended) ("the Act"), you:*

- 1. On 1 April 2024, at Chevington Farm, Bletchingley, used unnecessary force towards a horse named "DJ", more particularly by striking DJ with a hammer.*

*And that in relation to the facts alleged above, you are guilty of serious misconduct in a professional respect.'*

Ms Nicole Curtis appeared on behalf of the Council. The Respondent appeared and was represented by Ms Louise Hartley.

### Admissions

The Respondent admitted the factual charge and the Committee, having heard and accepted the advice of the Legal Assessor, found Charge 1 proved on the basis of his admission and having regard to the witness statements of the owner, Ms NM (the owner), Ms CT (the groom) and the CCTV footage of the incident.

### Background Underlying The Charge

DJ is an Irish Draught gelding and was five years old at the time of the incident. He had been with Ms NM since he was three years old and was in work. She describes him as a level-headed and relaxed horse.

NM kept DJ (and another horse) at a yard in Bletchingley in Surrey. The Respondent had been engaged as their farrier since March 2023, and shod the horses around every six weeks. For the first few appointments, Ms NM was present whilst he shod DJ, but after a while the Respondent told her that she did not have to stay, and she would therefore not always be there for the shoeing.

During the morning of Monday 1 April 2024, the Respondent attended for an appointment to shoe DJ and Ms NM's other horse. As was usual, Ms NM was not present. The yard had CCTV and footage subsequently obtained by Ms NM showed that the Respondent appeared to have some difficulty shoeing

DJ. The footage showed that at one point during the course of the shoeing (shortly before 10:30am), the Respondent struck DJ to his head with a hammer.

At 11:49am, the Respondent sent a message to Ms NM asking her to attend, as DJ was "playing up". He did not mention striking the horse. Ms NM was nearby and arrived quickly, at around midday. The Respondent told Ms NM that he had not been able to continue shoeing because, when he had tapped nails into the shoes, DJ had thrown himself backwards, rearing, and was generally behaving in a dangerous manner.

Ms NM tried to assist by holding DJ, but, when she did so and the Respondent approached the horse, DJ reared and ran backwards. Ms NM decided to stop the attempt, as DJ's behaviour was so out of character. She asked the Respondent whether he knew what might have caused the change, but he replied that there was nothing other than the sound of tapping nails. Ms NM decided to speak to her veterinary surgeon, with a view to the vet checking DJ's feet and sedating him so that the Respondent could fit the shoes.

Ms NM duly contacted her veterinary surgeon and booked the earliest available appointment, which was on 9 April 2024. She also booked an appointment for the Respondent to come on 9 April 2024, after the vet's visit.

The day after the attempted shoeing, Tuesday 2 April 2024, Ms NM contacted the yard owner and asked if she (the owner) could check the yard's CCTV to see if that might shed some light on what had caused DJ's behaviour. Ms NM was not able to see DJ again until Thursday 4 April, but in the intervening period, an experienced groom whom Ms NM employed, visited DJ.

During the evening of 2 April 2024, the groom, Ms CT, noticed that DJ was exhibiting unusual behaviour. When she put on and removed DJ's head collar, he ran backwards. When checking DJ, she noticed that there was a swelling on the right side of his head, in between his cheekbone and where the nose-band of the muzzle sits. Ms CT touched the swelling gently and DJ pulled backwards. Ms CT could both see and feel the swelling and describes it as fist-sized, single lump, around ten centimetres in diameter. She informed Ms NM.

At around the same time, the yard owner called Ms NM and suggested that Ms NM should watch the CCTV footage herself.

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Ms NM therefore went to the Yard on Thursday 4 April 2024 and watched the CCTV footage. She could not download the footage, so used her mobile telephone to take a video of it. Ms NM saw, as is apparent on the video footage, that at around 10:35am, the Respondent positioned DJ, held his head still and then struck him to the head with a hammer.

Ms NM went to check on DJ and found that he was a little head-shy. She reports in her statement to the Council that he is no longer head-shy with her, but is still slightly head-shy around strangers and men, and backs up a little if they approach. She explains that DJ did not behave in that way before the Respondent hit him with the hammer.

At 15:59 on 4 April 2024, NM sent a WhatsApp message to the Respondent letting him know that she had watched the CCTV and seen him strike her horse. She told him she was dispensing with his services and that she expected him to cover her veterinary bills for any treatment required. The Respondent did not reply by WhatsApp message. He tried to telephone Ms NM, but she did not want to speak to him immediately. She returned his call the next day, namely Friday 5 April 2024. During the call, he apologised and said that his conduct had been in the heat of the moment. In subsequent communications, the Respondent agreed to cover the veterinary fees arising from his conduct.

By the time a veterinary surgeon was able to attend, namely Tuesday 9 April 2024, there was no longer any swelling. The veterinary surgeon could find no clinical effect of the hammer; nor could he find any issues with DJ's feet. He confirmed this in a letter dated 28 July 2024.

On 26 July 2024, Ms NM submitted a complaint form to the Council. The Council asked for the Respondent's comments on the complaint and he replied on 17 August 2024:

*"I confirm that yes I visited DJ for [NM] as a routine shoeing appointment on 01/04/24, and that during this shoeing I am so ashamed to say that I did strike DJ with my hammer, it was a spur of the moment out of character error of judgment."*

The Respondent admitted that striking DJ with a hammer constituted unnecessary force.

## **DECISION OF THE DISCIPLINARY COMMITTEE ON SERIOUS MISCONDUCT IN A PROFESSIONAL RESPECT**

Ms Curtis, on behalf of the Council, submitted that the conduct amounted to serious misconduct in a professional respect. She drew the Committee's attention to the Code and in particular the guiding principles that Registered Farriers are expected to:

- "make horse welfare their first consideration, with due regard to a safe working environment, and to fulfil their professional responsibilities by upholding the following guiding principles:*
- *ensure that all horses under your care are treated humanely and with respect...*
  - *uphold the good reputation of the farriery profession"*

Ms Curtis also drew the Committee's attention to the Farriers Registration Council (FRC) Guidance as to what may constitute "serious misconduct in a professional respect" (paragraph 93) and how behaviour compromising the welfare of a horse would be viewed (paragraph 94):

### *Paragraph 93:*

*The circumstances, in which serious misconduct in a professional respect may be considered to have occurred, are so varied, that it is impossible to catalogue, or to even envisage them all...*

### *Paragraph 94:*

*The kind of behaviour which would almost certainly be regarded as serious misconduct would be that which severely compromises the welfare of a horse..."*

Ms Curtis drew the Committee's attention to the standards within the Code of Professional Conduct which she submitted had been breached by the Respondent, namely:

*Paragraph 10 – "...my constant endeavour will be to ensure the welfare of horses committed to my care."*

*Paragraph 12a – Farriers must treat all horses humanely, with respect, and with welfare as the primary consideration;*

*Paragraph 16c – Farriers must not engage in any activity or behaviour that would be likely to bring the profession into disrepute.*

Ms Hartley, on the Respondent's behalf, accepted that the behaviour amounted to serious misconduct in a professional respect.

# Hearing Updates >>>

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The Committee accepted the advice of the Legal Assessor who referred to the principles to be applied when considering serious misconduct in a professional respect.

The Committee considered that the following aggravating features were present in this case, relevant to the conduct itself:

Actual injury to an animal, caused with an implement, namely a hammer to the horse's head;

- Recklessness;
- An element of premeditation, in that there was a brief time frame in which the Committee considered that the Respondent would have had the opportunity to walk away, but instead held DJ's head and struck him with a hammer;
- An element of breach of client trust, in that DJ's owner had entrusted the Respondent with the care of her horse.

The Committee considered the following to be a mitigating factor in relation to the conduct itself:

It was a single and isolated incident, in that the Respondent struck DJ once on 1 April 2024.

In the Committee's judgement, the Respondent had deliberately struck DJ on the head with a hammer, with sufficient force to have caused swelling and as a result had adversely affected the behaviour of the animal, leaving DJ head-shy. The Committee considered that such conduct was directly contrary to the Farriers' Code of Professional Conduct, which sets out that equine welfare is central to the Farriery profession. The Committee was of the view that the Respondent had specifically breached paragraphs 10, 12a and 16c of the Code, as identified by Ms Curtis on behalf of the FRC.

The Committee bore in mind that farriers are entrusted with the welfare of horses. The Committee considered that such behaviour from a farrier brought the profession into disrepute. Accordingly, the Committee considered that it would send the wrong message to the public if no finding of serious misconduct in a professional respect were found in this case.

The Committee was satisfied that the Respondent's conduct was a serious departure from the standards expected such that it amounted to serious misconduct in a professional respect.

## **DECISION OF THE DISCIPLINARY COMMITTEE AS TO SANCTION**

The Respondent gave oral evidence to the Committee. In addition, he provided a bundle of documents, which included:

- a) His signed witness statement;
- b) A letter from his GP, dated 31 December 2024, reporting on his physical health previous to the incident;
- c) 12 recent references from clients for whom he provided farriery services, all of whom had been made aware of his conduct and the ongoing proceedings at the FRC.

The Legal Assessor advised the Committee of the Indicative Sanctions Guidance and of the need for proportionality when considering sanction. The purpose of any sanction was not to punish but to arrive at a proportionate outcome to the case, having regard to the Committee's responsibility to maintain proper standards of conduct for Registered Farriers.

The Committee had regard to the aggravating features it had identified at the stage of finding serious misconduct in a professional respect.

The Committee did not consider that the previous advice, in relation to communication issues, given to the Respondent by the Investigating Committee on 30 June 2024, for an incident in March 2024 should properly be regarded as an aggravating factor, as it did not amount to a previous adverse finding and the advice was not given until after this incident had occurred.

The Committee then considered the mitigating factors. In addition to the mitigating factor of this being a single, isolated incident, the Committee considered that the following additional mitigating factors were evident:

- The Respondent had a previously unblemished career of some 38 years as a farrier;
- The Respondent had been open and frank in his admissions to this Committee. At the outset he had admitted the facts and that they amounted to serious misconduct in a professional respect, and at no time had tried to minimise his conduct;
- The Respondent had subsequently taken steps to reduce the risk of repetition, including having a second person present, if the horse was being awkward;
- The Committee considered that the Respondent had been sincere in his evidence and that his remorse and shame regarding his actions was genuine;
- The Committee considered that the Respondent had

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demonstrated in his evidence that he had good insight into his behaviour and clearly understood adverse impact his behaviour would have had on the reputation of the farriery profession;

- The Respondent had provided a number of impressive references from clients, each of whom had confirmed their knowledge of the incident but still retained confidence in him to provide farriery services, and attested to his usual standards such that they considered his actions to have been out of character.
- The Committee considered from all the mitigation that the risk of repetition was unlikely.

The Committee considered each sanction in ascending order.

Given the adverse impact of the serious misconduct on the reputation of the profession, the Committee considered that the case was too serious for the Committee to take no further action. The Committee was of the view that taking no action would be insufficient to mark the seriousness of the case.

The Committee did not consider any purpose would be served by postponing sanction. The Respondent had provided a significant number of references to demonstrate that there were no issues with his professional skills.

The Committee next considered whether the case, and in particular the public interest considerations of maintaining confidence in the profession and upholding expected professional standards, could be addressed by way of a reprimand and/or warning. Although the Committee had concluded that there was an unlikely risk of repetition it considered that the public interest considerations in this case were particularly significant, given that the case involved unnecessary force used on an animal with an instrument. The Committee did not consider that the misconduct was at the lower end of the spectrum and although a warning may mark the misconduct, the Committee was not satisfied that a reprimand or a warning would mark the misconduct sufficiently in order to uphold and promote public confidence in the profession.

The Committee next considered the sanction of suspension and had regard to the factors set out in the Indicative Sanctions Guidance which indicate when suspension may be appropriate, as follows:

*Suspension may be appropriate, where some, or all of the*

*following apply:*

- *The misconduct is serious, but a lesser sanction is not appropriate;*
- *The respondent Registered Farrier has insight into the seriousness of the misconduct, and there is no significant risk of repeat of the behaviour;*
- *The respondent Registered Farrier is fit to return to practice after a period of suspension.*

The Committee considered that each of the above factors were present in this case. The Committee was of the view that the misconduct was serious and it had ruled out a lesser sanction as being appropriate. The Committee had had the benefit of hearing the Respondent give oral evidence and was satisfied that he had good insight into his misconduct and its impact on the reputation of the profession. The Committee had had the benefit of the references and had concluded that it was unlikely that the Respondent would repeat the behaviour, which reassured it that he would be fit to return to practice after a period of suspension.

The Committee considered that the key was whether or not the misconduct was so serious that it required removal from the Register, noting the following in the Indicative Sanction Guidance:

*Suspension may be appropriate, where the misconduct is sufficiently serious to warrant more than a reprimand, but not sufficiently serious to justify removal from the Register.*

In order to satisfy itself that suspension was sufficient in this case, the Committee also considered the sanction of removal, and the criteria set out in the Indicative Sanctions Guidance which may make such a sanction appropriate. It considered that the misconduct was a serious departure from the professional standards and that it had caused serious emotional harm as well as a serious risk of physical harm to the animal, in circumstances where the owner had entrusted him with shoeing the horse. However, in the particular circumstances of this case, given that it was a single, isolated incident in an otherwise unblemished career; the Respondent's good insight; genuine remorse and steps taken to ensure no repetition, the Committee did not consider that the Respondent's misconduct was fundamentally incompatible with remaining on the Register. The Committee also noted the observations within the Indicative Sanctions Guidance that it should not feel bound to remove from the

# Hearing Updates >>>

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Register:

*An otherwise, competent and useful [practitioner] who presents no danger to the public in order to satisfy [public] demand for blame and punishment.*

Taken in the round, the Committee concluded that removal would be disproportionate, and that the seriousness of the misconduct would appropriately be addressed by a suspension.

Accordingly, the Committee determined to impose a suspension for a period of 6 months. In reaching this view, the Committee considered that this was the minimum length which would address the significant public interest considerations of maintaining public confidence in the farriery profession and of upholding standards.

## Disciplinary Committee, 14 January 2025

**DISCIPLINARY COMMITTEE (DC): Mr C SWEENEY DIPWCF**  
**Set out below is the determination and decision of the DC in respect of Mr Sweeney; the determination and decision may be read on the FRC website at [www.farrier-reg.gov.uk](http://www.farrier-reg.gov.uk)**

### THE CHARGE

*"That being registered under the Farriers (Registration) Act 1975 (as amended) ("the Act"), you:*

1. *On 17 April 2024, at the Leeds Magistrates' Court, were convicted following a guilty plea, of driving a motor vehicle when your alcohol level (namely 60 microgrammes of alcohol in 100 millilitres of breath) was above the limit, in relation to which conviction, on 17 April 2024, you were disqualified from holding or obtaining a driving licence for 17 months, ordered to pay a fine of £300, a surcharge and costs.*

*And that in relation to the facts alleged above, you are guilty of serious misconduct in a professional respect."*

Ms Nicole Curtis appeared on behalf of the Council. The Respondent appeared and was represented by Mr Jonathon Buckle.

### Admissions

The Respondent admitted the factual charge and the Committee, having heard and accepted the advice of the Legal Assessor, therefore found Charge 1 proved on the basis of his admission and having regard to the certificate of conviction.

### Facts Underlying Conviction

On 17 April 2024, at Leeds Magistrates' Court, the Respondent pleaded guilty to one offence of driving his vehicle when the proportion of alcohol in his system was 60 microgrammes of alcohol in 100 millilitres of breath. This exceeded the prescribed limit (which is 35 microgrammes of alcohol in 100 millilitres of breath) contrary to section 5(1)(a) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988.

On the same date, the respondent was sentenced for the above offence as follows:

- a) Fined £300;
- b) Disqualified from driving for 17 months, to be reduced by 17 weeks, if by the 20 March 2025, the Respondent satisfactorily completed a driving course approved by the Secretary of State;
- c) Ordered to pay costs of £85 and a surcharge of £120.

The summary of the offence from West Yorkshire Police included the following:

- a) At approximately 02:50 a.m. on Saturday, 24 February 2024, an emergency call was made by a member of the public to the effect that a group of men who were visibly intoxicated were running to and from a car park in Wakefield, Yorkshire. A member of the public gave the registration number of the vehicle. Local Authority CCTV was then used to locate the vehicle and follow it as it was driven away from the car park.
- b) Police officers tracked the vehicle and stopped it. The Respondent was seen to have been driving it and, when asked if he had been drinking, admitted that he had been drinking earlier that night.
- c) Police officers asked the respondent to provide a roadside sample of breath, and he did so. This was over the limit and so he was arrested and taken to the police station where another sample of breath was taken. This sample showed that he had 60 microgrammes of alcohol in 100 millilitres of breath.

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## **DECISION OF THE DISCIPLINARY COMMITTEE ON SERIOUS MISCONDUCT IN A PROFESSIONAL RESPECT**

Ms Curtis, on behalf of the Council, submitted that the conviction amounted to serious misconduct in a professional respect. She drew the Committee's attention to the Code and in particular the guiding principles that Registered Farriers are expected to:

- Uphold the good reputation of the farriery profession
- Understand and comply with your legal obligations
- Avoid situations both within and outwith the professional context which could be in breach of criminal law, or may call into question your fitness to practise.

Ms Curtis also drew the Committee's attention to the Farriers Registration Council (FRC) Guidance as to what may constitute "serious misconduct in a professional respect" (paragraph 93) and how criminal convictions may be viewed (paragraph 95):

*Paragraph 93:*

*The circumstances, in which serious misconduct in a professional respect may be considered to have occurred, are so varied, that it is impossible to catalogue, or to even envisage them all. Generally speaking, a minor breach of this Code of Professional Conduct might well not amount to serious professional misconduct. Repeated minor breaches in aggregate could well do so. However, a single, serious breach might also lead to such a finding.*

*Paragraph 95:*

*Serious criminal offences will usually amount to a matter of serious misconduct, but not every offence shall be viewed as serious. Not every criminal offence will necessarily be notified to the FRC or referred to the DC (Disciplinary Committee), but as a guide, offences which are likely to affect the farrier's ability to practise, call their honesty and integrity into question, endanger the public or bring the profession into disrepute - these examples are not exhaustive - may amount to serious misconduct.*

Mr Buckle, on the Respondent's behalf, accepted that the conviction amounted to serious misconduct in a professional respect.

The Committee accepted the advice of the Legal Assessor who referred to the principles to be applied when considering serious misconduct in a professional respect and cited the

case of *R (Remedy UK Ltd) v GMC* [2010] EWHC 1245 (Admin).

The Committee considered that the Respondent's actions, the facts of which underpin the criminal conviction, would have put the public at risk of significant harm. It noted that the Respondent had nearly twice the legal limit of alcohol in his breath, which would have impaired his driving, and would have placed his passengers and other potential road users and pedestrians at risk of harm. The Committee considered that the underlying facts, together with the conviction itself, would also have brought the profession into disrepute.

The Committee further considered that it would send the wrong message to the public if no finding of serious misconduct in a professional respect were found in this case, given that such conduct places members of the public at significant risk, and breaches the criminal law.

The Committee was satisfied that the Respondent's conviction and the conduct underpinning it amounted to serious misconduct in a professional respect.

## **DECISION OF THE DISCIPLINARY COMMITTEE AS TO SANCTION**

The Respondent gave oral evidence to the Committee. In addition, he provided a bundle of documents, which included:

- a) His signed witness statement;
- b) Several recent references from farriers for whom he worked;
- c) Several recent references from clients for whom he provided farriery services.

The Legal Assessor advised the Committee of the Indicative Sanctions Guidance and of the need for proportionality when considering sanction. The purpose of any sanction was not to punish but to arrive at a proportionate outcome to the case, having regard to the Committee's responsibility to maintain proper standards of conduct for Registered Farriers.

The Committee first considered the aggravating features of the case. In the Committee's judgement, the following aggravating features were present in this case:

- There had been a risk of harm to the public by his actions in driving whilst over the legal limit for alcohol; and
- There had been an element of recklessness in deciding to drive having earlier been drinking alcohol.

# Hearing Updates >>>

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The Committee then considered the mitigating factors. The Committee considered that there were a number of mitigating factors in this case. In the Committee's judgement, the following mitigating factors were evident:

- This was a 'one-off' offence, and could properly be regarded as a single, isolated incident;
- Whilst the Committee had found an element of recklessness in the Respondent's decision to drive, he had been contacted by his friends for a lift, and had made the decision without fully reflecting on that decision;
- The Respondent had been open and frank in his admissions to the police, to the Magistrates' Court, and to this Committee;
- The Respondent had informed the FRC of his conviction in a timely manner and had reported it in his Annual Return;
- The Respondent, in relation to his conduct, said that he was "so embarrassed"; what had happened was "horrendous"; it was "such a bad name for me, the FRC, and those in training". The Committee was persuaded that he was unlikely to drink and drive again;
- The Committee considered that the Respondent had demonstrated in his evidence that he had good insight into his actions and now understood the risks he would have posed to other members of the public that night and the damage the conviction will have had on the reputation of the Farriers' profession;
- The Respondent had shown a commitment to the profession in the efforts he made in continuing to provide farriery services to his clients, whilst still disqualified from driving, as well as in paying for and taking the driving course to reduce the length of his disqualification; and
- The Respondent had a good support network from his family and colleagues and understood that he had let both down by his actions. The Committee noted that he expressed remorse and embarrassment and considered that this was genuine;

The Committee considered each sanction in ascending order. Given the adverse impact of the conviction on the reputation of the profession, the Committee considered that the case was too serious for the Committee to take no further action. The Committee was of the view that taking no action would be insufficient to mark the seriousness of the case.

The Committee did not consider any purpose would be served by postponing sanction. The Respondent had provided a considerable body of material to the Committee, including references, and there were no issues with his professional skills, as was evidenced by his references before the Committee.

The Committee next considered whether the case, and in particular the public interest considerations of maintaining confidence in the profession and upholding expected professional standards, could be addressed by way of a reprimand and/or warning. The Committee acknowledged that neither option would restrict the Respondent from working. Nevertheless, given his insight, remorse and demonstrated commitment to the profession, the Committee was satisfied that he was unlikely to repeat the behaviour. In the circumstances of this case, the Committee was satisfied that a reprimand for the Respondent's recent conviction, together with a warning as to his future conduct, may be appropriate and proportionate to meet the concerns identified in this case.

In order to satisfy itself that a reprimand and warning were sufficient in this case, the Committee also considered the sanction of suspension and noted the criteria set out in the Indicative Sanctions Guidance. It was satisfied that the conviction was serious, the Respondent had insight into his past conduct and there was no significant risk of repetition. However, in the particular circumstances of this case, the Committee did not consider that the Respondent's actions and conviction could properly be characterised as being so serious as to be 'just short of removal from the Register'. Taken in the round, the Committee concluded that suspension would be disproportionate.

Accordingly, the Committee determined to impose both a reprimand and a warning in the following terms:

- You must have regard to your Code of Professional Conduct and
- i. avoid situations both within and outwith the professional context which could be in breach of the law, or may call in to question your fitness to practise; and
  - ii. avoid behaviour which could endanger the public or bring the profession into disrepute.

**Disciplinary Committee, 13 January 2025**

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**DISCIPLINARY COMMITTEE (DC): Miss D GRAY DIPWCF**  
**Set out below is the determination and decision of the DC in respect of the application for restoration to the register of Miss Gray; the determination and decision may be read on the FRC website at [www.farrier-reg.gov.uk](http://www.farrier-reg.gov.uk)**

The Applicant, Miss Gray, applies for restoration to the Register of the Farriers Registration Council. She attended and was not represented.

Ms Curtis appeared on behalf of the Council.

On 11 May 2023, Miss Gray was removed from the Register following a Direction of the Disciplinary Committee, in accordance with section 15(1)(a) of the Farriers (Registration) Act 1975, having been found guilty of serious misconduct in a professional respect.

On 15 December 2024, Miss Gray submitted an application for restoration to the Register.

**APPLICATION FOR PARTS OF THE HEARING TO BE IN PRIVATE**

Ms Curtis made an application under Rule 11 of The Farriers Registration Council Disciplinary Committee (Procedure) Rules 1976 (the Rules), for parts of the hearing to be in private. She explained that she was aware that Miss Gray may reference her health and other personal matters during the course of the hearing. Miss Gray supported the application.

The Committee was satisfied that it was justified to hold in private, those parts of the hearing which related to Miss Gray's health or other personal circumstances in order to protect her private life.

**FACTS UNDERLYING THE ORIGINAL PROCEEDINGS LEADING TO REMOVAL**

Miss Gray was originally admitted to the Register on 24 May 2016. As part of the requirements for registration, she was required to complete an Annual Return and submit it to the Council every year. The returns ask Registered Farriers to disclose any unspent police cautions or criminal convictions received since the previous return. The returns also require the Registered Farrier to check that the contact information held by the Council was correct and to confirm that they held professional indemnity insurance. As a Registered Farrier, the Applicant was also required to keep her skills and

knowledge up to date, by undertaking Continued Professional Development (CPD).

The charges which led to the Applicant's removal were as follows:

- (1) between 19 April 2022 and 4 October 2022, she had failed to respond, adequately or at all, to reasonable requests from the Council in relation to her CPD; and
- (2) between 30 August 2018 and 4 October 2022, she had failed to send Annual Returns to the Council, and that she had further failed to provide an Annual Return when asked to do so within 28 days of 6 October 2022.

The Applicant failed to attend the hearing in May 2023 and the Council successfully applied for the hearing to proceed in her absence. The Disciplinary Committee heard evidence from two Council employees. Mrs W gave evidence in respect of the charge of failing to respond to reasonable requests about her Continuing Professional Development (CPD) and Mrs W gave evidence in respect of the charge of failing to send annual returns to the Council. The Disciplinary Committee accepted both witnesses' evidence and found the facts proved in respect of both charges. In the written determination, the Disciplinary Committee stated:

*"Ms.W confirmed the contents of her witness statement and in particular that consideration of the Council's electronic records revealed that there had been no correspondence from the Respondent in relation to her Annual Returns and no Returns submitted between 30 August 2018 and 4 October 2022. Nor was there any response to a request from the Council, made on 6 October 2022, for an Annual Return to be completed and returned within 28 days.*

*Ms.W's evidence confirmed that the purpose of submitting an Annual Return was to enable the Council to assure itself that it had up to date contact details for registered farriers, that any new convictions or cautions had been declared to the Council and that Professional Indemnity insurance was in place.*

*Ms. W produced correspondence from herself and from the Registrar seeking details of CPD undertaken by the Respondent. Letters seeking these details were sent on 19 April 2022, 9 May 2022, and 30 May 2022. On 29 June 2022 Ms. Woodward also left a voicemail message on the Respondent's telephone asking her to submit these details. A further letter from the Registrar*

# Hearing Updates >>>

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*was sent on 11 August 2022. No response to any of this correspondence was received before 4 October 2022 when the Investigating Committee met and decided to refer the matter to the Disciplinary Committee.*

The Disciplinary Committee went on to determine that the facts it had found proved, amounted to serious misconduct in a professional respect. In the written determination, it stated:

*“The Committee concluded that the Respondent’s failures amounted to a blatant and wilful disregard of the FRC and the systems that regulate the profession. Regulation becomes impossible if regulated persons choose to ignore correspondence received from the regulator. The public thereby loses the protection given by effective regulation and the reputation of the profession is undermined. The facts which the Committee has found proved amount to serious misconduct in a professional respect.”*

At the sanction stage, the Committee was informed that the Applicant had no previous Disciplinary Committee findings against her. It imposed the sanction of removal, directing that the Applicant should not apply for restoration to the Register before the expiry of 18 months from the date of its decision. In the determination, the Disciplinary Committee stated:

*“The Committee considered that there were a number of aggravating factors. The Committee has already referred to blatant and wilful disregard of the systems that regulate the profession. In addition, the Committee considered the Respondent’s conduct to be reckless, premeditated and sustained and repeated over a significant period of time. In the Committee’s assessment the Respondent had shown no insight into the implication of her misconduct.*

*The Committee was unable to find any mitigating factors.*

*The Committee considered that this was much too serious a case in which to take no action, to postpone sanction or to issue a reprimand or warning.*

*The Committee next considered a suspension order. However, there was no evidence to suggest that the Respondent had any insight into the seriousness of her misconduct and the risk of repetition was high. The Committee could not be satisfied that the Respondent would be fit to return to practice after a period of suspension. Further, the Committee did not consider*

*that a period of suspension would be sufficient to meet the seriousness of this case.*

*The Committee concluded that the only appropriate and proportionate sanction in this case is removal from the register.*

*The Committee directed, pursuant to its power under section 15(7) of the Farriers Registration Act 1975, as amended, that no application for restoration to the register may be made by the Respondent until 18 months has elapsed from the date of this direction. If and when any such application is made, it will be considered by the Disciplinary Committee in the normal way, based on an assessment of the merits of such an application at that time.”*

## **SUBMISSIONS OF THE PARTIES**

Ms Curtis set out the background of the case and underlying facts which led to the finding of serious misconduct in a professional respect and ultimately the sanction of removal. She also identified the relevant law and factors for the Committee to have regard to in reaching its decision of whether or not to restore Miss Gray to the Register. Ms Curtis informed the Committee that the FRC was neutral on whether or not Miss Gray should be restored to the Register.

Ms Curtis drew the Committee’s attention to the following relevant legislation:

Farriers (Registration) Act 1975, section 15(7):

*A person whose name is removed from the register in pursuance of a direction of the Disciplinary Committee under this section shall not be entitled to be registered in the register again except in pursuance of a direction in that behalf given by the Committee on the application of that person; and a direction under this section for the removal of a person’s name from the register may prohibit an application under this subsection by that person until the expiration of such period from the date of the direction (and where he has duly made such an application, from the date of his last application) as may be specified in the direction.*

The Farriers Registration Council Disciplinary Committee (Procedure) Rules 1976 (the Rules), Rule 9:

*Where an application is made in accordance with section 15(7) of the Act by a person whose name has been removed from the register in pursuance of a direction made under section 15 of*

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the Act, the following provisions shall have effect:-

- (i) the Committee shall afford the applicant an opportunity of being heard by the Committee and of adducing evidence;
- (ii) the Committee may require such evidence as they think necessary concerning the identity or character of the applicant or his conduct since his name was removed from the register, and for this purpose may receive written or oral evidence;
- (iii) subject to the foregoing provisions of this rule and to Part VI of these Rules, the procedure of the Committee in connection with the application shall be such as they may determine.

Documentary evidence relevant to Miss Gray's application for restoration was provided to the Committee, including:

- a. Miss Gray's completed application form for restoration, dated and signed by her on 15 December 2024;
- b. A character reference, dated 7 March 2025, from a former client who used Miss Gray's farriery services before removal and subsequently supported her when she was obtaining her British Horsemanship qualifications and Equestrian Coaching (Showjumping) qualification;
- c. Copies of certificates in Horsemanship training (awarded 15 December 2022), Equestrian Coaching (awarded 14 February 2024) and the British Horseracing Authority's Introduction to Safeguarding in the Horseracing Industry (awarded 18 January 2024).

Miss Gray also gave evidence on affirmation to the Committee. Her evidence included her understanding of the seriousness of the misconduct, her understanding of the importance of communication with the FRC, her understanding of the importance of the Annual Returns and the need to provide this information to the Council, information about her health and what she has been doing in the period since removal.

#### **COMMITTEE DECISION**

The Committee heard and accepted the advice of the Legal Assessor. She advised that the procedure for a restoration application was by way of a hearing on evidence. She advised in accordance with section 15(7) of the Farriers Act 1975 and Rule 9 of Rules. The Legal Assessor advised that the onus was on an Applicant to demonstrate that they should be restored

to the Register, by demonstrating that they were capable of practising farriery safely and that their character and conduct since removal were such that they were effectively a fit and proper person to practise as a Registered Farrier.

The Committee noted that the application form completed by Miss Gray, included the following guidance for applicants seeking restoration:

*It will be for the applicant to satisfy the DC (Disciplinary Committee) that they are fit to be restored to the register. Some of the factors that a DC may consider relevant when considering an application for restoration are as follows (this list is not meant to be exhaustive):*

- a. *The seriousness of the findings of the Committee at the original hearing;*
- b. *Any potential risks to equine or animal welfare were the applicant to be restored;*
- c. *Protection of the public and the public interest, including maintaining public confidence in the profession and upholding the reputation of the profession;*
- d. *The extent of any insight into the conduct which led to removal from the register;*
- e. *The length of time since the Applicant was removed, taking into account any time period directed by the Committee before an application may be made (bearing in mind that there is no automatic right to restoration after that period);*
- f. *The Applicant's conduct since removal from the Register;*
- g. *Evidence of efforts by the Applicant to keep up to date in terms of knowledge, skills and developments in practice since removal from the Register (accepting that she must not practise as a farrier);*
- h. *The level of support from any members of the public and any former/prospective clients.*

The Committee adopted the approach of considering how Miss Gray had addressed each of these relevant factors.

#### *The seriousness of the findings of the Committee at the original hearing:*

The Committee considered that the original findings leading to removal of the Register were serious. The original Committee had determined that Miss Gray's conduct had amounted to a "blatant and wilful disregard of the systems that regulate the profession", which had been "reckless, premeditated and sustained and repeated over a significant period of time." This Committee did not disagree with that characterisation, although it noted Miss Gray's oral evidence today regarding

# Hearing Updates >>>

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the personal circumstances which she had been experiencing at the time. The Committee was of the view that Miss Gray had not attempted to minimise or justify her lack of cooperation with the FRC, noting that she both apologised and accepted that her lack of communication had been unacceptable.

## Any potential risks to equine or animal welfare were the applicant to be restored

Whilst the Committee noted that there had not been any direct equine or animal welfare issues involved with the original decision to remove Miss Gray from the Register, it bore in mind that she had not yet provided any information to demonstrate that she had kept her knowledge of farriery up to date or that she had a plan to ensure that she had not become de-skilled over the nearly two year period since her removal from the Register.

## Protection of the public and the public interest, including maintaining public confidence in the profession and upholding the reputation of the profession;

The Committee considered that at this point in time, there would be ongoing concerns in respect of maintaining public confidence in the profession and of upholding the reputation of the profession. The Committee bore in mind that Miss Gray had not provided Annual Returns over a four-year period, and so for the whole of that time, the FRC was not in a position to know whether she retained indemnity insurance or whether her character status had changed. The Committee considered that clients and the public needed to have confidence that a Registered Farrier had the appropriate insurance and was of appropriate good character. The way of ensuring this was through effective communication with the FRC and of submitting Annual Returns with the necessary declarations to that effect. At this stage, the Committee was not sufficiently satisfied that Miss Gray had reassured it that she understood the fundamental importance of submitting Annual Returns so as to maintain public confidence in the profession and to uphold the reputation of the profession or that she had an effective plan to ensure that there would be no repetition of her failures to communicate with the FRC.

## The extent of any insight into the conduct which led to removal from the register;

In terms of insight, the Committee considered that Miss Gray's insight was developing, but was not yet at a sufficient level to reassure the Committee that there would not be a future risk of repetition of failing to cooperate with the FRC. The

Committee acknowledged that Miss Gray was unrepresented and had perhaps not fully appreciated what evidence would assist her in demonstrating to the Committee that she could safely be restored to the Register. It was also apparent to the Committee that Miss Gray's insight was continuing to develop through the course of this hearing and her oral evidence. In answer to Committee questions, she had been able to articulate that the FRC needed to know that a Registered Farrier "could stick to their Code of Practice", "was not a criminal" and "was capable of working as a professional". Nevertheless, the Committee did not consider that Miss Gray yet had sufficient insight into the impact of her misconduct on her clients or public confidence in the profession, or how communicating with her Regulator in respect of Annual Returns and logging CPD was important for public protection.

## The length of time since the Applicant was removed, taking into account any time period directed by the Committee before an application may be made (bearing in mind that there is no automatic right to restoration after that period);

The Committee bore in mind that this was Miss Gray's first application since removal, with her application form being submitted just after the 18-month direction made by the original Disciplinary Committee.

## The Applicant's conduct since removal from the Register

The Committee was mindful that there was no suggestion that Miss Gray had acted inappropriately since she had been removed from the Register. Furthermore, it noted that she had been working hard on her health, so as to ensure she would be in a better position to meet the physical and mental challenges farriery poses.

## Evidence of efforts by the Applicant to keep up to date in terms of knowledge, skills and developments in practice since removal from the Register (accepting that she must not practise as a farrier)

The Committee considered that this was an area of concern at this time, which may have implications for equine welfare. Miss Gray, by her own acceptance had not undertaken any relevant CPD since she had been removed from the Register, stating that she had been too embarrassed to attend day courses due to her removal. The Committee acknowledged that as a result of removal and the limit on what skills she could undertake, there were challenges in keeping her knowledge and skills up to date. Nevertheless, she told the Committee that she had two farrier contacts near her who had offered to help her. However, she did not appear to have taken up those offers

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in any practical sense. The Committee was of the view that there were areas of practical CPD training which she could undertake, for example trimming horses' feet; forging and shaping horses' shoes and shadowing a farrier's work, none of which require registration. The Committee also considered that it was possible to undertake non-face-to-face CPD training which also does not require registration.

The level of support from any members of the public and any former/prospective clients.

The Committee noted that Miss Gray had provided one reference from a former client, who was supportive of her application for restoration. The Committee considered that it would have been open for Miss Gray to provide further independent evidence in support of her application from, for example, previous clients, farriers with whom she had worked and, if she undertook any practical CPD not requiring registration, farriers who she had shadowed or performed any trimming of horses' feet. The Committee considered that such evidence would have assisted it.

Having assessed all of these factors, the Committee did not consider that Miss Gray had, at this time, met the persuasive burden on her to satisfy it that she could safely be restored to the Register of Farriers. The Committee considered that there were further steps and reflections which she would need to take, before she could be restored. Accordingly, Miss Gray's application for restoration is refused.

## DISCIPLINARY COMMITTEE, 2 April 2025

**DISCIPLINARY COMMITTEE (DC): Mr J McGRAIL DIPWCF**  
**Set out below is the determination and decision of the DC in respect of Mr McGrail; the determination and decision may be read on the FRC website at [www.farrier-reg.gov.uk](http://www.farrier-reg.gov.uk)**

### THE CHARGE

*"That being registered under the Farriers (Registration) Act 1975 (as amended) ("the Act"), on 28 October 2023 near Mole Street, Dorking, RH5 SPE, you:*

1. *Used threatening and/or abusive and/or offensive and/or insulting words, more particularly:*
  - a) *"I don't speak f\*\*\*\*\* foreign you useless c\*\*\*\*";*
  - b) *"that's not English";*
  - c) *"ladies and useless c\*\*\*\*";*

- d) *"salut ladies and useless c\*\*\*\*";*
- e) *"useless s\*\*\*\*";*
- f) *"useless c\*\*\*\*";*
- g) *"hello, welcome to Eastern Europe... all the f\*\*\*\*\* w\*\*\* East..."*
- h) *"you South African f\*\*\*\*";*
- i) *"it is illegal to look like an ugly c\*\*\*\* like you";*

2. *Your conduct at 1 (a) to (g) above amounted to the offence of racially aggravated use of threatening words or behaviour or disorderly behaviour within the hearing or sight of a person likely to be caused harassment, alarm or distress thereby, contrary to section 5 of the Public Order Act 1986 and 31(1)(c) of the Crime and Disorder Act 1998, in relation to which, on 16 April 2024, you accepted a Community Resolution Order;*
3. *Engaged in threatening and/or violent and/or disorderly behaviour, more particularly by:*
  - a) *hitting one or more vehicles with your hand;*
  - b) *putting your hand through the open window of a moving vehicle;*
  - c) *kicking or kicking out towards a person on or near the ground;*

*And that in relation to the facts alleged above, whether individually or in any combination, you are guilty of serious misconduct in a professional respect."*

### Preliminary matters

Ms Nicole Curtis appeared on behalf of the Farriers Registration Council ("FRC"). Mr Matthew Corrie appeared on behalf of Mr McGrail, who was also present.

### Admissions

Mr McGrail formally admitted all the Charges and the Committee, therefore, found them proved in their entirety, on the basis of his admissions. His admission in relation to 3(c) was on the basis of 'kicking out' rather than 'kicking' and Ms Curtis indicated that the Council could not argue otherwise on the basis of the video evidence and accordingly that basis of plea was acceptable. The Committee therefore accepted Mr McGrail's plea to 3(c) on this basis.

### Potential Newton Hearing

Before proceeding further, Ms Curtis raised a discrete issue about one area of dispute between the parties. She referred

# Hearing Updates >>>

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to the account given by Mr McGrail in his police interview and also in a letter he had sent to the Council, where he referred to a number of 'big men in balaclavas' that he said were present on the day in question and threatening him. She said this account was not entirely consistent with what is seen on the video recordings and that given by the three witnesses relied on by the Council. Ms Curtis stated that if Mr McGrail stood by the account of there being immediate provocation by big men in balaclavas, which prompted his inappropriate comments, then this was not accepted by the Council. However, she said the Council could not gainsay anything that happened earlier in the day and not captured on that short video.

Ms Curtis submitted that the disputed issue would not in fact make a material difference to the question of whether Mr McGrail's admitted conduct amounted to serious misconduct in a professional respect. With regards to sanction, Ms Curtis said this would be a matter for the Committee as the Council makes no submissions on sanction.

Mr Corrie reminded the Committee that Mr McGrail had made full admissions in his police interview, he had been contrite and accepted everything that he did on that day was wrong and unacceptable. In light of that, and the fact that he would not be arguing this behaviour did not amount to serious misconduct in a professional respect, Mr Corrie said it was highly unlikely that the stance taken by Mr McGrail in relation to the men in balaclavas, would make a material difference to the question of whether his behaviour amounted to serious misconduct in a professional respect.

Mr Corrie pointed out that the relevant video footage with regards to this discrete issue was less than two minutes long. He said it was not suggested that the two witnesses relied on by the Council for this part of the case were men wearing balaclavas or that they were being aggressive towards him or that it was them that were saying things like 'murderers' and 'paedophiles'. Mr Corrie submitted that the context of the day was of some relevance. He said there was a history of tension between Hunt supporters and Hunt saboteurs. He referred the Committee to the unchallenged evidence provided by the Defence that demonstrated there was also bad behaviour by some of the Hunt saboteurs that day in Mole Street. Mr Corrie said that at some point after Mr McGrail and his partner entered Mole Street there were a number of Hunt saboteurs, including those in balaclavas, who were being abusive and aggressive. Mr Corrie made it clear that Mr McGrail was saying

he was provoked and that is why he acted out of character and inappropriately, but that he would not be saying this was a mitigating factor, but rather a relevant contextual factor that went to explain why a man of hitherto good character, acted out of character. Mr Corrie submitted this would not materially impact on the question of sanction and therefore a factual enquiry of this discrete issue was not necessary.

The Committee heard and accepted the advice of the Legal Assessor. He advised the Committee that it had to decide whether proceeding on the basis put forward by Mr McGrail would significantly impact upon its decisions relating to serious misconduct in a professional respect and/or sanction (referring to the case of R v Newton [1983] Crim LR 1982).

The Committee considered the reference to the men in balaclavas, which was supported to some extent by a number of Defence witnesses and furthermore people could be seen in some of the video clips wearing masks, was peripherally contextual. It was one small aspect of all that went on that day. The Committee was thus satisfied that the factual dispute between the parties would not have a material impact on the question of serious misconduct in a professional respect and/or sanction. Accordingly, there was no need to call evidence by way of a 'Newton' type hearing, as referred to by the Legal Assessor. The Committee would proceed on the basis of the account given by the Respondent in relation to there being threatening men in balaclavas present at some stage during the confrontations that took place on 28 October 2023.

## **Background**

On Saturday 28 October 2023, Mr McGrail attended the opening meet of the Surrey Union Hunt near Mole Street in Dorking. A number of members of a group called the 'North London Hunt Saboteurs' also attended the vicinity of the Hunt. Among them were Ms JM (Ms JM), Ms AV (Ms AV) Ms KG (Ms KG), who said they had attended in order to monitor the Hunt and gain evidence (by filming) of any criminal offences that might be committed, for example, fox hunting using a pack of dogs, which is illegal in England and Wales.

Ms JM, Ms AV and other members of their group took video footage of Mr McGrail and this was later sent to the Council. It was said to show Mr McGrail using the words and engaging in the activity set out in the Charges above.

The Council relied on video footage recorded on a number of

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different devices used by the hunt saboteurs.

Video JMG2/AV2 - Charges 1(a) to (g)

This video was taken by Ms AV using a hand-held camera. She recalls taking it at around midday on 28 October 2023. The footage shows how at this time Mr McGrail was on horseback on a narrow country road. His horse was positioned in front of a stationary car. There were two other vehicles parked on a grass verge next to the road. As the footage shows, a group of five people (apparently all saboteurs) were together on foot, walking along the same country road. They walked straight past Mr McGrail on his horse and over towards the car behind him. One of the group was Ms JM.

As the group walked past Mr McGrail, he made a comment towards one of them, saying something like, *"Oh sorry - I thought you were a man"*. Ms AV, also on foot, followed very closely behind the group of five, filming as she did so. As she passed Mr McGrail, he leant towards her and asked her to give him her camera. She stated aloud, for the purpose of her film, that he had attempted to steal the camera and that he was blocking the road. For the avoidance of doubt, there is no charge or suggestion that Mr McGrail was in fact attempting to steal the camera/phone: the FRC submitted that the attempt to take it away from Ms AV was in order to stop the activities being recorded.

Mr McGrail then made a comment in response to Ms AV, who is Romanian, saying, *"Hello! I don't speak f\*\*\*\*\* foreign you useless c\*\*\*\*"*. One of the other saboteurs commented to the effect that the language had been English and Mr McGrail replied, *"that's not English."*

There were then further exchanges between Mr McGrail and the saboteurs, with one or more of the saboteurs noting that he was blocking the road. Mr McGrail turned his horse so he was facing the group of saboteurs and gestured towards them with his hand, saying, *"If you like... if you like... ladies and useless c\*\*\*\*, if you would..."*. Shortly afterwards he again turned his horse to face the group and said, *"salut ladies and useless c\*\*\*\*, I'll have you know that you have blocked the road and not me, and that... useless s\*\*\*\*"*.

Soon afterwards, Ms AV's camera zoomed in on Mr McGrail, and he said, *"useless c\*\*\*\*t,"* whilst looking at Ms AV. He then said, *"hello, welcome to Eastern Europe, [inaudible] all the f\*\*\*\*\* w\*\*\* East..."*

Ms AV then stopped filming, and she and the other saboteurs walked away from Mr McGrail.

The comments made by Mr McGrail as recorded on this video footage (and admitted by him) are reflected in Charges 1(a) to (g).

Ms AV explained in her statement to the Council that Mr McGrail's abusive language and behaviour towards her made her feel indignant, shocked and offended. She felt intimidated by him as he was on a large horse and seemed out of control, pulling the reins left and right. She noted that his speech sounded slurred and his movements were erratic, to the extent that she thought he was under the influence of alcohol. This was denied by Mr McGrail who said he had only had one beer. Ms AV said she felt unsafe and described the events as having been *"psychologically unpleasant"*. When the matter was later investigated by Police, Ms AV explained to them that she was emotionally shaken by the incident and experienced flashbacks. She described how threatened she had felt by Mr McGrail. Ms JM, who was present for the incident and is seen on the video footage, confirmed that Ms AV was visibly upset and close to tears whilst she was filming. She said she comforted Ms AV as she seemed shaken.

Video JMG3 – Charge 1(h)

Ms JM produced two other videos of Mr McGrail's use of words during the Hunt. JMG3 was a video taken by a South African woman who was attending as part of a different saboteur group. She later sent the video to Ms JM. In the video, Mr McGrail can be seen riding his horse, with the camera following along behind him. A comment is made by someone off-camera. Mr McGrail continues to ride, but turns his head and upper body around towards the camera and says something inaudible, followed by, *"you South African f\*\*\*"*. This comment is reflected in Charge 1(h).

Video JMG4/AV3 –Charge 1(i)

JMG4/AV3 is a video taken by Ms JM herself. The other person speaking at the beginning of the video is another saboteur. That saboteur says something about it not being a legal requirement to say *"thank you."* Mr McGrail, on horseback, points his riding crop/whip at the camera and states, *"It is illegal to look like an ugly c\*\*\* like you."* This comment is reflected in Charge 1(i).

Ms AV was present for the incident and heard the words used. She confirmed that Mr McGrail was talking to another

# Hearing Updates >>>

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saboteur, whom she did not know very well. She was close enough to hear Mr McGrail say these words. She states that it made her feel indignant and upset.

Later that same day, Mr McGrail was on foot with a number of other members of the Hunt, when there were further incidents aimed at the Hunt saboteurs. Videos of the incidents were sent to JM and she sent them on to the Council.

## Videos KABG 2/JMG5 and KABG3/JMG6 – hitting a vehicle with hand (Charge 3(a))

At 14:46 that afternoon, Mr McGrail went over to a car containing hunt saboteurs and hit the window. Two people inside the car took videos of the incident. One was Ms KG, who later sent the video to Ms JM. Ms KG was sitting in the back seat of the car on the right-hand side (off-side). At around nine seconds into the video KABG2, Mr McGrail came over to the car and hit the window of the back-seat left-hand side (near-side) of the car.

After he hit the car, Ms KG can be heard in the video saying “f\*\*\*\*\* b\*\*\*\*\*” and “For f\*\*\*\* sake, horrible.” She explains in her statement to the Council that she does not normally speak in this way, but did so because of the situation, which she described as “terrifying.” She stated that, even some eighteen months later, when making the statement, she still had vivid memories of Mr McGrail’s face coming towards the car. She stated that she had been attending events as a saboteur for a number of years and this was probably the most scared she had ever been. Ms KG reported the incident to the Police on 2 November 2023 and in an email to the Police described the passengers in the car as feeling “extremely threatened”.

Video KABG 3 shows the incident described above from a different angle, taken by a passenger sitting in the front of the car. At around fifteen seconds into the video, Mr McGrail can be seen coming over and hitting the car, as described above. At around twenty seconds into the video, he can be seen running after the car as it drove away.

## Video JMG 7 – hitting a vehicle with hand (Charge 3(a)) and reaching into vehicle (3(b))

This video was also taken on 28 October 2023 and was later provided to Ms JM. It was taken by another saboteur group, from inside their vehicle. At around 24 seconds into the video, Mr McGrail can be seen hitting the side of another car, and

then coming over towards the car in which the person is filming and saying “f\*\*\*\*\* stop there.” At around one minute into the video, Mr McGrail can be seen moving quickly around the front of a green Land Rover, and reaching into its front left hand window. Police Officers are by this point present and they gesture towards Mr McGrail and another man, signalling for them to move away.

In the video JMG7, at approximately 56 seconds into the video, seconds after Mr McGrail has come up to their car and told them to “f\*\*\*\*\* stop”, one of the occupants of the car can be heard to ask, in a scared voice, “are the doors locked?”

## Videos JMG 8, JMG 9 and JMG 10 (JMG8 - kicking out towards person on or near the ground (Charge 3(c))

Additional videos were taken by members of the Hunt saboteurs on 28 October 2023 and sent to Ms JM. These showed disturbances and disorder at a time when Surrey Police officers had attended and were trying to control events.

At the start of video JMG 8, Mr McGrail can be seen kicking towards someone on or near the ground. This appears in the context of Police trying to detain another man and there are many other people involved in the melee.

## The Police Investigation and report to the FRC

Ms AV, Ms JM and Ms KG all made reports to the Police about what had occurred on the 28 October 2023 (and in any event, the Police were present towards the end of events so were aware of some of what had taken place at that time). Ms AV reported the earlier racial abuse to the Police the day after the incident.

Ms JM described the events as being “very scary.” She stated that the incidents were very upsetting to witness and she was worried about Ms AV, at whom the racial abuse had been aimed. She was also worried about the effect on Ms KG inside one of the cars. She described Ms KG as very level-headed and tough and said that to hear her speak in the way she did on the video (she can be heard reacting to what happened by swearing) was unusual and upsetting. She reported that, although she had seen confrontations at Hunts before, she had never seen fighting, and nothing as serious as what occurred on this date.

On 26 March 2024, Police Officers interviewed Mr McGrail under caution, in the presence of a solicitor. They questioned

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him about his conduct in videos JM2/AV2 and in relation to hitting/reaching into cars. During the course of the interview, Mr McGrail admitted using the words heard on the video. He said he had been scared because people were shouting insults at him and others, and that some “big men” were wearing balaclavas and were intimidating. He said they were surrounded and the saboteurs were not letting them pass. He said it was just him and his partner, she was scared and he feared for his safety and his partner’s safety. At one point they tried to take a hold of his horse’s reins. They also called him a pedophile and a murderer. He said they were trying to provoke him and he felt threatened. He stated:

*“I acted in a way that I’m not proud of, I should have used different words, but at the time my heart was going, I was scared and the only way I could differentiate them was the, this certain woman who was causing me a lot of trouble, she sounded with an Eastern European accent and that is the only place where that context come out of, I wasn’t, I’m not a racist, I haven’t, you know, I’ve never, done anything like that but it’s when they were all balaclavaed up and you’re in the heat of the moment, but, it was, I was I was in a corner and it’s, I didn’t have, couldn’t do much.”*

Mr McGrail said using that kind of language was not him, he was very embarrassed and it was completely out of character. He said he was putting on a show to try and show them they could not intimidate him. He also agreed that he had “whacked” a car, saying it was because he was “stressed” “not happy” and had “had a hell of a day”. He agreed that this would have caused the passengers to be “very highly distressed”. He fully accepted his language was not appropriate. He agreed he should not use racially abusive language to anyone and accepted it was an offence to do so. He also agreed that he had reached his hand inside a car and stated that it was in an effort to try to stop the vehicle. He said he deeply regretted his behaviour, it was very stupid. He also made reference to chemicals being thrown over Hunt supporters, but added “Nothing gives me the right to behave in the way I did that day.”

The Police decided to deal with matters by way of a Community Resolution Order for the offence of “racially aggravated use of threatening words or behaviour or disorderly behaviour within the hearing or sight of a person likely to be caused harassment, alarm or distress thereby”. The offence is contrary to section 5 of the Public Order Act 1986 and 31(1) (c) of the Crime and Disorder Act 1998. On 16 April 2024 Mr McGrail signed the Order, explicitly accepting responsibility for

involvement in the offence.

Ms JM also reported the matter to the Council, explaining that she was concerned by how Mr McGrail might behave towards a horse-owner of another race. The Council put matters on hold pending the outcome of the police investigation.

On 18 October 2024, the Council wrote to Mr McGrail asking for his comments. He replied on 30 October 2024 stating:

*“There was a grass verge where we could have passed as we approached the sabs they got out and stood in our way. They were all masked with balaclavas. As we asked to go pass they surrounded us and started intimidating us. They used foul, offensive language towards both of us – calling us murderers, paedophiles etc. (which was very upsetting as we have children). Some of the men were demanding me to get off to fight them. My partner was scared, I was scared – we just wanted to get our horses home. Then one of the sabs attempted to grab my reins putting me at risk of them trying to control my horse. I then entered in to a fight or flight mode – and in doing so I acted completely out of character. I said language against their nationalities to differentiate them – I do admit this was wrong. This is not who I am – I would have never used language like this previously to this incident. Eventually some members of the public came down the road and saw what was happening and then the sabs backed away and we were able to pass.”*

Mr McGrail provided a written statement dated 8 May 2025 for the Committee to consider, as follows:

*“I am writing this letter with a heavy heart and sincere regret for my past behaviour. Upon reflection, I realise that my actions were not only inappropriate but also hurtful, and I take full responsibility for the disappointment I have caused.*

*There is no excuse for my behaviour in retaliation towards the hunts sabs, they came with intentions to harass and provoke people that day. I unfortunately fell into their trap and in doing so disgraced myself. My behaviour was a lapse in judgment, and I am truly sorry for not living up to the standards I hold myself to. On the day, I acted truly out of character because I was threatened and have never been in this situation before.*

*Please understand that I have taken this experience to heart and am actively working on bettering myself. I am committed to ensuring this kind of behaviour is never repeated, and I hope to show you through my actions going forward that I am learning and growing from this mistake. I have done a lot of*

# Hearing Updates >>>

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*reflection and have taken steps to better understand the root of my behaviour. I've been working on CPD courses for anger management, equality and social diversity. I will continue to do so to ensure that I gain the skill set to ensure this will not happen again.*

*This experience has been a powerful wake-up call, and it has changed me. I now see the importance of accountability, empathy, and integrity in a way I hadn't before. I am committed to making lasting changes, not only to right my wrongs, but to ensure that I never repeat the same mistakes. With this in mind I have made the decision to not go trail hunting anymore.*

*In relation to the disciplinary notice, I want to express that I am truly saddened by this situation. I take this matter seriously and understand the impact of my actions. It was never my intention to fall short of expectations, and I sincerely regret that my behaviour has led to this outcome. I highly value the FRC and my career as a Farrier. Having this brought to the FRC's attention, has been humiliating as I value myself as Farrier highly and am embarrassed as the governing body have had to witness my behaviour outside of a working environment. I deeply regret jeopardising my lifelong career."*

Mr McGrail also provided Continuing Professional Development ("CPD") Certificates for attendance on an Anger Management Awareness course, dated 6 May 2025, and an Equality, Diversity and Inclusion course, dated 7 May 2025.

In addition, he provided a number of testimonials. He is described as a polite, hard-working, dedicated Farrier who works kindly and calmly with horses demonstrating high levels of care and professionalism and as someone who is an asset to the profession.

AB, a Paramedic and horse owner, said she has known Mr McGrail for 12 years as her Farrier. She described him as a hardworking and dedicated Farrier who put horse welfare as a top priority. She said she had been shown the video of Mr McGrail and she did not believe it was a true representation of his character. She said she would not want anyone else to be her Farrier and she trusts Mr McGrail "explicitly".

AD, Senior Master of the Surrey Union Hunt, spoke very highly of Mr McGrail, saying he provided exceptional Farrier services for her horses. She described the tactics of the

Hunt saboteurs, which, she said, were often confrontational, aggressive and at times very frightening. Although there on the day, she was not present when Mr McGrail was confronted by the Hunt saboteurs on this particular occasion, but she said she had never witnessed him display aggressive or unkind behaviour towards anyone. She added, "Regrettably, this was not the first instance in which the Hunt Saboteurs exhibited intimidating and scary behaviour towards the Surrey Union, often wearing balaclavas and attempting to frighten children." Ms D also said, "When the Hunt Saboteurs are active, as they were on the 28th of October 2023, one must always be vigilant and prepared for potential adverse events. In past occurrences, Hunt Saboteurs have forcibly removed riders from their horses, seized control of the horses' reins, and engaged in alarming conduct such as spraying horses with citronella and striking horses and riders with batons. Such actions are distressing and pose a significant risk to both horse and rider."

CS, a journalist, was at the event on 28 October 2023, but did not witness the interactions between Mr McGrail and the Hunt saboteurs. She said, however, that she had supported the Surrey Union for many years and was aware of the confrontational behaviour from saboteurs. She said the saboteurs do as much as they can to disrupt the day, regularly shouting abuse at spectators and riders, trying to remove people's belongings, obstructing rights of way and generally looking for ways to get a 'rise' out of people for their video footage. She described Mr McGrail as an excellent Farrier, who gets on well with everyone, has many loyal clients and both people and animals who depend on him.

CG, a Chartered Physiotherapist, has known Mr McGrail for 20 years, both as her Farrier and as a friend. As a Farrier she described him as a skilled and competent Farrier who is a credit to his industry. She said he is always polite and professional, providing an excellent standard of care for her horses. As a friend, she described him as kind, generous and very easy to get on with, always happy to help other people and very trustworthy. Ms G added that she is anti-hunting and has had many conversations with Mr McGrail about their different opinions, with Mr McGrail always being courteous and engaging and not at all threatening or intimidating.

BS, a Veterinary Surgeon, was present on 28 October 2023 and said he personally witnessed the Hunt saboteurs behaving aggressively and dangerously. He said they were interfering with many people's horses, jumping in front of them, running

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directly up behind them, darting and forcing their way through crowds of horses and abusing anyone who dared look their way. In his view they were deliberately provoking the riders. He said it was the Hunt saboteurs' anti-social behaviour that caused him to leave early as he was concerned for his family's safety. Dr S added that in the 10 years he has known Mr McGrail he has always known him to be a man of integrity, professionalism and dedication to animal welfare. He said Mr McGrail was someone who takes his responsibilities seriously and acts with care and respect in his work.

JC, a Company Director, described Mr McGrail as somebody with a "quiet way and affable nature" the "go-to" Farrier for a "huge part of the community." In the 12 years he has known him he has never known Mr McGrail to be aggressive, either physically or verbally. He said Mr McGrail is a devoted family man whom the community admires and respects. He was present at the Hunt on 28 October 2023, but not where the exchanges took place as he was serving drinks to guests. He said that Hunt saboteurs often wear dark or menacing attire, their faces are usually covered and they carry recording equipment.

LM, a client of Mr McGrail, was at the Hunt on 28 October 2023, though not where the initial confrontation took place. He said he received a call from his son to say he had been sprayed in the face with a purple liquid by Hunt saboteurs. This was of grave concern because, said Mr M, the Hunt saboteurs were known for spraying acid in Hounds' eyes, so he thought the worst. He and some others (including Mr McGrail) went to find his son and reached the "chaos" at a T junction where people were fighting with the police. Mr M said somebody pointed out the saboteur responsible for spraying his son was in the back of a Land Rover full of saboteurs wearing balaclavas. Mr M said, "At the heat of the moment, we tried to stop the car from leaving as I wanted to know what they had sprayed my son with, and Johnny [Mr McGrail] was one of them helping us stop the car."

There were other testimonials, the authors of which gave oral evidence at the sanction stage and are detailed below.

#### **DECISION OF THE DISCIPLINARY COMMITTEE ON THE FACTS**

Rule 6 only requires the Committee to deliberate and decide any facts that are not admitted. Since all the facts were admitted, as indicated above, it was not necessary for the Committee to decide any of the facts. Accordingly, the

Committee found all the Charges proved.

#### **SUBMISSIONS OF THE PARTIES ON SERIOUS MISCONDUCT IN A PROFESSIONAL RESPECT**

Ms Curtis submitted that Mr McGrail was guilty of serious misconduct in a professional respect. She drew the Committee's attention to the Code and in particular the guiding principle that Registered Farriers are expected to:

- *uphold the good reputation of the Farriery profession*
- *communicate openly with clients and behave professionally at all times*
- *understand and comply with your legal obligations*
- *avoid situations both within and outwith the professional context which could be in breach of criminal law (or as per the 2024 Code - breach of the law, not just criminal law), or may call into question your fitness to practise*

Ms Curtis also referred to paragraphs 16(b) and 16(c) of the Code, which states that:

*"16 b. Farriers must be courteous and professional in communications with members of the public..."*

*16 c. Farriers must not engage in any activity or behaviour that would be likely to bring the profession into disrepute..."*

Ms Curtis advised the Committee that Paragraph 92 of the Code provides the following guidance as to what may constitute serious misconduct in a professional respect:

*"The circumstances in which serious misconduct in a professional respect may be considered to have occurred are so varied that it is impossible to catalogue or to even envisage them all. Generally speaking, a minor breach of this Code of Professional Conduct might well not amount to serious professional misconduct. Repeated minor breaches in aggregate could well do so. However a single, serious breach might also lead to such a finding."*

With regards to conduct outside professional practice, Ms Curtis referred the Committee to the case of R (on the application of Remedy (UK) Ltd) -v- General Medical Council [2010] EWHC 1245 (Admin), in which it was stated:

*"(1) Misconduct is of two principal kinds. First it may involve sufficiently serious misconduct in the exercise of professional practice such that it can properly be described as misconduct going to fitness to practise. Second, it can involve conduct of a morally culpable or otherwise disgraceful kind which may, and often will, occur out with*

# Hearing Updates >>>

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*the course of professional practice itself, but which brings disgrace upon the doctor and thereby prejudices the reputation of the profession;*

*(2) Conduct falls into the second limb if it is dishonourable or disgraceful or attracts some kind of opprobrium; that fact may be sufficient to bring the profession of medicine into disrepute. It matters not whether such conduct is directly related to the exercise of professional skills."*

Having detailed the relevant provisions in the Codes of, and Guidelines to, Professional Conduct, Ms Curtis then made specific submissions on the charges as follows.

In relation to Charges 1 and 2, Ms Curtis submitted that the language used towards the witnesses - and others present - was wholly unacceptable, deplorable and egregious. It contravened the Code of Conduct regarding the professional behaviour expected of Registered Farriers, namely courtesy and professionalism in communications with members of the public.

Ms Curtis invited the Committee to consider that the conduct was unprovoked. She added that the conduct was aggravated by the fact that it had an adverse effect on the well-being of Ms AV. She felt threatened and intimidated by Mr McGrail's conduct, was close to tears and was emotionally shaken by the words directed at her.

In addition, Ms Curtis submitted that the conduct was aggravated by the fact that it took place whilst Mr McGrail was on horse-back and it was in the context of a riding event where a number of members of the public were present. Mr McGrail was clearly known to some of those in attendance to be a member of the farriery profession.

Ms Curtis asserted that the language Mr McGrail used had the potential to bring the profession into disrepute and such behaviour fell far below the conduct expected of a member of the profession.

In relation to Charge 3, Ms Curtis submitted that the violent or disorderly behaviour, although not directly linked to Mr McGrail's professional practice, would properly be characterised as disgraceful and attracting opprobrium. She said such behaviour was deplorable, reprehensible and liable to bring the profession into disrepute. Ms Curtis added that, as with the abusive language, the conduct had an adverse impact

on the well-being of those present. Ms KG explained that she found the incident "terrifying" and that the passengers in the car felt "extremely threatened".

Ms Curtis submitted that the conduct underlying Charge 3 was aggravated by the fact that it took place as part of a group and was directed at people who were not a threat. In relation to 3(a) and (b), the people concerned were inside vehicles which were moving away from Mr McGrail, or trying to move away from him. In the case of 3(c), Mr McGrail in effect used a weapon (his foot) towards an individual who was on or near the ground. Ms Curtis said there was no threat to him in such circumstances. There was also no threat because Police Officers were present and were attempting to restore order in circumstances where Mr McGrail and his companions were continuing to create disorder.

Ms Curtis said it was the Council's case that, as with the comments, the matter was aggravated by the fact that it took place in the context of a riding event, where people present knew Mr McGrail to be a Farrier.

Mr Corrie, on behalf of Mr McGrail, said he was not suggesting the behaviour in this case did not amount to serious misconduct in a professional respect, however he took issue with a number of matters mentioned by Ms Curtis. He said her reference to communicating openly with clients did not apply in this case as the Hunt saboteurs were not clients. He disputed the suggestion that the behaviour was somehow aggravated by the fact that Mr McGrail was on horseback, as this was a Hunt and members of the Hunt ride horses. He also said it was wrong to categorise Mr McGrail's kicking out towards a person as being the use of a weapon. He reiterated that there was no dispute that the threshold for serious misconduct in a professional respect had been crossed.

## **DECISION OF THE DISCIPLINARY COMMITTEE ON SERIOUS MISCONDUCT IN A PROFESSIONAL RESPECT**

The Committee accepted the advice of the Legal Assessor who referred to the principles to be applied when considering serious misconduct in a professional respect.

As a Registered Farrier, Mr McGrail was duty bound to abide by the Guiding Principles set out in the relevant provisions in the Codes of, and Guide to, Professional Conduct. They include upholding the good reputation of the farriery profession and complying with legal obligations. The Committee noted that Mr

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McGrail had admitted the offence of “racially aggravated use of threatening words or behaviour or disorderly behaviour within the hearing or sight of a person likely to be caused harassment, alarm or distress thereby”. The offence had been dealt with by way of a Community Resolution Order and it was not this Committee’s role to, in effect, punish him for a second time. However, it is this Committee’s role to uphold standards and maintain public confidence in the profession of farriery. When a Registered Farrier commits deeply offensive and anti-social behaviour of this nature, it reflects badly on the profession and has the potential to undermine public confidence in Farriers and the FRC. This was particularly so since it was apparent that some of those present were aware that he is a Registered Farrier.

The Committee considered it appropriate to treat this as all one course of conduct and therefore appropriate to consider the Charges in the round. Mr McGrail’s racially aggravated use of threatening words and behaviour was sustained and repeated over the course of the day. It began with abusive comments, then continued at a later time with disorderly and violent conduct. At some point in between, he dismounted and left his horse elsewhere, before going to the scene where disorderly incidents were occurring and becoming involved in them himself. Having watched the video footage, the Committee was satisfied that whilst the presence of Hunt saboteurs may have in itself been provocative, in no way did it justify the behaviour exhibited by Mr McGrail. Such criminal behaviour would be considered deplorable by other members of the profession and the public alike and the Committee was satisfied it amounted to serious misconduct in a professional respect.

#### **DECISION OF THE DISCIPLINARY COMMITTEE AS TO SANCTION**

The Legal Assessor reminded the Committee of the Indicative Sanctions Guidance and of the need for proportionality when considering sanction. The purpose of any sanction was not to punish but to arrive at a proportionate outcome to the case, having regard to the Committee’s responsibility to protect animal welfare and to promote and maintain proper standards of conduct for Registered Farriers.

Mr McGrail gave evidence at the sanction stage. He confirmed that he has no criminal convictions and no previous regulatory history before the FRC. He said he accepted full responsibility for his actions and did not seek to excuse the way he behaved in any way. He said, “*My conduct was definitely not acceptable,*

*no one should have to see the way I acted towards people and the language I used.”* He said that was not the person he is or wants to be and he very much regretted his actions that day in October 2023. He said it saddens him that he had resorted to using such language, describing the words as “*horrible*” and saying how embarrassed he was by his behaviour. Mr McGrail said he disgraced himself on that day and knows he offended people. He offered his apologies to those affected, saying he was “*very sorry.*” He acknowledged that he not only let himself down, but also the profession and the FRC. He was deeply saddened by the impact his behaviour might have had on fellow Farriers and did not want his bad behaviour to reflect badly on the profession or the FRC.

Mr McGrail said he had been a regular member of the Hunt and used to book his life around it, often going out twice a week. He said about the Hunt, “*You lived and breathed it, it was a very big part of my life, my partner hunts, my family hunts, it was in our blood, a tradition, big thing.*” However, since that day in October 2023 he has not been out with the Hunt again. When asked why, he said, “*That day went very wrong and I am very ashamed. I thought the best way is just not to involve myself anymore.*” He said how his family and his work were more important. He wanted to avoid any further conflict and had no intention of going back. When asked about what other steps he had taken to avoid a repetition of such behaviour, Mr McGrail referred to an online CPD course he had completed on Equality, Diversity and Inclusion. He said he found it very helpful, but it also made him sad because he could see how the hurtful things he said that day would have affected the people it was directed at. He also spoke of a 4-5 hour Anger Management Course that he completed and what he had learned from it. He said it had provided him with ‘tools’ to help avoid conflict and losing one’s temper and he gave examples. He said if faced with a similar situation in the future he now felt he had the life-skills to prevent things escalating to the extent that he would lose his temper. As to losing his temper, he said he was not prone to do so, describing himself as generally a “*happy guy*” and this was supported by the authors of the testimonials he provided.

McGrail said he had qualified as a Farrier in May 2012, a profession he had wanted to follow since the age of 13. He described how horses and farriery are for him a way of life and all he has ever wanted to do. He described the practice he has built up with around 50 clients, many of whom have been with him for many years. He described how he had horses involved

# Hearing Updates >>>

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at the high end of eventing and show jumping and he was worried about the impact of his not being able to practise on horses that only he had worked on for years and that he knew well. He spoke of the importance of his family, his financial commitments and the drastic effect of losing his income, were that to happen.

As well as the testimonials referred to above, the Committee also heard at the sanction stage from three further witnesses. Ms TT, Mr GM and Ms CE.

Ms T said she has known Mr McGrail for around 12 years and uses his services as a Farrier. She also knows him a friend, being part of the hunting community. She said he is an excellent Farrier and she *"totally"* trusts him. She described how horses love him, how he is kind, calm and really cares about the horses and his clients. She said she would be really upset if she had to find another Farrier because of how well Mr McGrail knows her horses. As a friend, she described Mr McGrail as *"really lovely, full of life and reliable."* She said her children also really loved Mr McGrail and she felt completely safe in his company, indeed when out hunting he would often be there with a reassuring word. She said she knew about the allegations that he faced and had admitted, but she nonetheless stood by what she had said about him.

Mr M, is a professional horse rider and Mr McGrail is responsible for his horses. He said Mr McGrail always did an amazing job to make sure his horses were at their best. He was asked about the impact of Mr McGrail not being able to work as a Farrier and said he had some 12 to 14 horses, some of whom were very young and not easy to shoe and others that were top level, five star horses, with one in particular being very sensitive. He said Mr McGrail had been shoeing them for four years and it was very important to have somebody who knows and understands the horses as Mr McGrail does. Mr M added, *"He is just very kind and understanding of the horses, so it would be a big miss for my horses and the team."* Mr M was not present on 28 October 2023, but has followed the Hunt and spoke of how the Hunt saboteurs can be *"a bit scary and make you feel threatened."*

Ms E has been Mr McGrail's partner for the last five years. She too was aware of the charges he had admitted. She said his behaviour that day was completely out of character. She had never seen him like that before or since, saying he is usually a very calm presence. She was asked about the effect of his

having given up hunting and she said it had been a part of his life and it was a big thing giving it up, but his professional career was more important than his hobby. She said he was the main contributor to the household finances and thus it would have a *"huge detrimental effect"* were he not able to work.

The Committee first considered the aggravating and mitigating factors present in this case.

The Committee found there to be the following aggravating factor:

- the behaviour was reckless.

The Committee found there to be the following mitigating factors:

- previous good character and no repeat of the behaviour since;
- a long and otherwise unblemished career;
- admissions to the matters alleged from the outset when interviewed by the police;
- significant demonstration of insight, taking full responsibility for his actions;
- proactive steps taken to prevent a recurrence, including withdrawing from the Hunt and completing relevant, targeted CPD;
- the context in the first video where he and his partner felt intimidated as they were alone and surrounded by Hunt saboteurs;
- the conduct did not take place in a vacuum, this was a highly charged situation on both sides with harsh words and behaviour on both sides;
- genuine remorse and apologies to the Hunt saboteurs, the profession, his family and the FRC;
- very positive testimonials making clear this behaviour was out of character.

Having watched the video clips and taking into account the defence witness evidence provided by Mr McGrail, the Committee did not accept the Council's assertion that there had been no provocation. It was quite clear that the Hunt saboteurs had been provoking those involved with the Hunt.

Having seen and heard from Mr McGrail, the Committee considers he gave honest, contrite and meaningful evidence. He made no attempt to avoid responsibility for his behaviour and did not seek to blame others. He was clearly deeply remorseful for his actions and genuinely sorry for the distress he recognised he must have caused others present that day.

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The Committee considered each sanction in ascending order. The Committee considered the case was too serious to take no further action, as Mr McGrail's criminal conduct involved racially aggravated use of threatening words or behaviour or disorderly behaviour within the hearing or sight of a person likely to be caused harassment, alarm or distress and resulted in a Community Resolution Order. The behaviour occurred in a public place, with members of the public present and with some, at least, knowing that he was a Registered Farrier. To take no action would not send the clear message to members of the profession that such behaviour is not to be tolerated, nor would it satisfy the public interest.

The Committee did not consider any purpose would be served by postponing sanction.

The Committee next considered whether the case could be addressed by means of a reprimand or warning. The Council's sanctions guidance states:

*"Where the Disciplinary Committee is minded to issue a reprimand or warning as to future conduct, it will consider whether a reprimand or warning provides adequate protection to animals, the reputation of the profession and the wider public interest, bearing in mind that a reprimand or warning has no direct effect on the right to practise. A reprimand might be appropriate if the serious professional misconduct is at the lower end of the spectrum of gravity for such cases and, for example, there is no risk to animals or to the profession's reputation or to the wider public interest that requires registration to be restricted."*

The guidance goes on to say:

A reprimand or warning may be appropriate where:

- the misconduct is at the lower end of the spectrum of seriousness and;
- there is no future risk to animals or the public, and;
- there is evidence of insight.

Although the misconduct in this case was undoubtedly serious, it had to be viewed in context and it was the context that meant the Committee could view this misconduct as being towards the lower end of the spectrum of seriousness. That is in no way to downplay or excuse the behaviour, particularly the racist element of the behaviour, but the Committee has to act proportionally. The context is that the conduct occurred in Mr McGrail's private life and not in his role as a Farrier. It did not involve harm or the risk of harm to animals or the

public and there was no future risk to animals or the public. His behaviour did not take place in a vacuum and there was unchallenged evidence from a number of eye-witnesses that the Hunt saboteurs were acting in a threatening and provocative manner. It was clearly a highly charged and confrontational day with bad behaviour exhibited on both sides. That in no way excused Mr McGrail's behaviour and, importantly, he did not seek to excuse his behaviour, accepting that it was inexcusable. He lost his temper on that day and used foul, insulting and at times racist language. This was aggravated by his threatening and disorderly behaviour.

However, Mr McGrail has demonstrated significant and genuine insight into his disgraceful behaviour and the Committee was satisfied he would be unlikely to behave in this way in the future. He no longer hunts and has not done so since that day in October 2023, having decided to withdraw from an activity that he had clearly been passionate about, but which he felt was necessary in order to avoid further conflict. This demonstrated both insight and a commendable level of maturity. He had also been on appropriate, targeted courses aimed at managing anger and understanding equality, diversity and inclusion. Importantly, he was able to say what he had gained from attending those courses. Many clients and witnesses speak very highly of Mr McGrail's professionalism, care and dedication as a Farrier and the significant loss it would be to the profession, were he to be prevented from practising. Everything said by the authors of the testimonials pointed toward this being very much out of character behaviour by Mr McGrail and the Committee was satisfied this was not a case where there were any deep-seated attitudinal problems.

In all these circumstances the Panel considered the public interest could be served by a reprimand and a warning about his behaviour going forward. Such a sanction would send the clear message to the Profession and the public that this sort of behaviour is wholly unacceptable, not to be tolerated and must not be repeated.

However, before making a decision, the Committee first considered the next sanction, that of suspension. The Guidance states that:

Suspension may be appropriate where some or all of the following apply:

- the misconduct is serious, but a lesser sanction is appropriate;

# Hearing Updates >>>

- the Respondent Registered Farrier has insight into the seriousness of the misconduct and there is no significant risk of repeat behaviour;
- the Respondent Farrier is fit to return to practice after a period of suspension.

There was no doubting that the misconduct in this case is serious, as stated above, but the Committee did consider a lesser sanction to be appropriate. In addition, the Committee has already found there to be significant evidence of insight. The Committee therefore concluded that a period of suspension would be unduly punitive in this case and thus disproportionate. It is fair to say, however, that Mr McGrail came very close to having his registration suspended and had it not been for the context, his insight and the extensive mitigation that would most likely have been the outcome.

The Committee thus decided that a reprimand and warning were appropriate and proportionate in this matter. There was nothing before the Committee to suggest that Mr McGrail was anything other than a competent, hard-working Farrier. He behaved very badly on one day and has been dealt with by the criminal justice system for that offence. He has demonstrated remorse, shown good insight and the risk of repetition is low. In such circumstances the Committee considered it would be disproportionate to order a more severe sanction that would prevent Mr McGrail from working as a Farrier. Such a sanction would risk penalising the horses he is responsible for more than him.

The Order of this Committee is, therefore, that Mr McGrail be reprimanded and warned as follows:

***“You must avoid situations both within and outwith the professional context which could be in breach of criminal law, or may call into question your fitness to practise. You must not engage in any activity or behaviour that would be likely to bring the profession into disrepute. You must also not exhibit behaviour which is discriminatory or offensive, as outlined in paragraph 13(b) of the Code. You must remember that fitness to practise encompasses not only professional competence and practical skills, but also the way in which you conduct yourself outside the professional environment; this includes your private life.”***

Mr McGrail should be in no doubt that any finding of serious misconduct in a professional respect by his regulatory body is a serious matter and he should not take this reprimand

and warning lightly. Members of the profession must be in no doubt that this kind of behaviour is completely unacceptable, whatever the circumstances.

That concludes this case.

## Disciplinary Committee, 16 May 2025

### DISCIPLINARY COMMITTEE (DC): Mr P POPPLEWELL DIPWCF

**Set out below is the determination and decision of the DC in respect of Mr Popplewell; the determination and decision may be read on the FRC website at [www.farrier-reg.gov.uk](http://www.farrier-reg.gov.uk)**

### THE CHARGE

*“That being registered under the Farriers (Registration) Act 1975 (as amended) (“the Act”):*

1. *On 11 January 2016, at the County Durham and Darlington Magistrates’ Court, you were convicted, following a guilty plea, of depositing controlled waste in or on land, namely a bridleway running from Coniscliffe Road Across Manners Farm to Staindrop Road, without the authority of a current environmental permit issued under the Environmental Protection Act 1990, contrary to section 33(1)(a), (6) and (8) of the Environmental Protection Act 1990; in relation to which conviction you were fined £627 and ordered to pay a victim surcharge and costs.*
2. *In relation to the conviction at 1 above:*
  - (i) *in an Annual Return received by the Council on or around 18 October 2016, you declared that you had no cautions or convictions to declare, when you had not previously declared the said conviction; and/or*
  - (ii) *between 18 October 2016 and 4 February 2025, you failed to disclose the said conviction to the Council;*
  - (iii) *your conduct in relation to 2(i) and/or 2(ii) was:*
    - a) *misleading; and/or*
    - b) *dishonest;*
3. *On 7 September 2023, at the Northumbria Magistrates’ Court, you were convicted following a trial in your absence, of carrying out unlawful farriery, contrary to section 16*

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*of the Farriers (Registration) Act 1975 on 18 March 2023 at Hack Hall Farm Livery Yard, Sandy Lane, Newcastle; in relation to which conviction you were fined £440 and ordered to pay a victim surcharge and costs;*

4. *Between 2016 and 2025, failed to submit Annual Returns to the Council for 2016 and/or 2018 and/or 2022 and/or 2024 and/or 2025;*

*And that in relation to the facts alleged above, whether individually or in any combination, you are guilty of serious misconduct in a professional respect."*

#### **Preliminary matters**

Ms Nicole Curtis appeared on behalf of the Farriers Registration Council ("FRC"). Mr Popplewell did not appear, nor was he represented.

#### Service and Proceeding in absence

With Mr Popplewell not present, Ms Curtis made an application for the hearing to proceed in his absence.

The Committee first considered whether the appropriate documents had been served in accordance with The Farriers Registration Council Disciplinary Committee (Procedure) Rules 1976 ("the Rules"). The Committee took into account the submissions made by Ms Curtis on behalf of the FRC and also took into account the advice of the Legal Assessor.

Included within the papers was the Notice of Inquiry dated 3 April 2025, thereby satisfying the 28 day notice requirement, which had been sent by both First Class Post and Special Delivery to Mr Popplewell's address as it appears in the FRC Register. It was also sent by email to the email address used by Mr Popplewell when communicating with the FRC in January 2025. The Notice included details about the time, date and venue for the hearing and invited Mr Popplewell to attend to answer the charges. In addition the Notice provided details about applying for a postponement and the Committee's option to proceed in his absence, if he did not attend. The Special Delivery letter was returned in the post to the FRC, following two unsuccessful attempts to deliver it.

The Committee was satisfied that the Notice of Inquiry had been served in accordance with the Rules, which require the FRC to prove that the documents were sent, not that they were in fact received.

The Committee therefore went on to consider whether to proceed in Mr Popplewell's absence. The Committee bore in mind that although it had a discretion to proceed in the absence of Mr Popplewell, it should exercise that discretion with the utmost care and caution, particularly as Mr Popplewell was unrepresented.

In deciding whether or not to proceed in the absence of Mr Popplewell, the Committee took into account the history of contact between the FRC, Capsticks Solicitors (instructed by the FRC), and Mr Popplewell.

On 5 February 2025, the Council wrote to Mr Popplewell to inform him that the Investigating Committee had the previous day referred matters to the Disciplinary Committee.

On 14 February 2025, Capsticks, wrote to Mr Popplewell at his registered address, letting him know that they represented the Council with regards to the allegations forwarded to the Disciplinary Committee. The letter was sent by first class post and email. The email address used was the one which Mr Popplewell had himself used in order to email the Council a few weeks earlier, on both 27 and 29 January 2025. There was no reply to that letter.

On 26 February 2025, Capsticks wrote to Mr Popplewell informing him that the Disciplinary Committee hearing was due to be listed for one day on 12 May 2025 and inviting him to let them know if he (or his representatives) had any difficulties with the proposed date. This was sent by special delivery, first class post and the same email address as before. There was no reply to that letter, and the special delivery letter was returned in the post later, on 19 March 2025.

On 4 March 2025, Capsticks wrote to Mr Popplewell reminding him that the Disciplinary Committee hearing was due to be listed on 12 May 2025, at the Council's offices in Peterborough. He was asked to let them know by 11 March 2025 if he (or his representatives) had any difficulties with the proposed date. This was sent by first class post. There was no reply to that letter.

On 12 March 2025, Capsticks wrote again to Mr Popplewell, telling him that the matter had been listed for 12 May 2025 at the Council's offices in Peterborough.

On 3 April 2025 the Notice of Inquiry was sent, as detailed above.

# Hearing Updates >>>

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On 4 April 2025, Capsticks sent to Mr Popplewell a copy of the Inquiry Bundle and Unused Material Bundle, together with a copy of the Disciplinary Committee Manual and a registrant's guide to hearings. These were sent to Mr Popplewell's registered address, by first class post and special delivery. These were also sent to Mr Popplewell by email. At 20:10 on 4 April 2025, Capsticks received an automated notification to indicate that the files had been accessed (a letter, the Inquiry Bundle and Unused Material Bundle, a copy of the Disciplinary Committee Manual and a registrant's guide to hearings) which had been sent via email earlier that day.

On 30 April 2025, Capsticks emailed Mr Popplewell to ask if he proposed to attend the hearing.

On 1 May 2025, Ms Joanna Howard, a senior associate solicitor from Capsticks, called Mr Popplewell's mobile telephone number, as registered with the Council. There was no reply and no voicemail facility. Two minutes later Ms Howard received a text message from that number asking, "had I missed a call?" Ms Howard texted back to say that she had been calling from Capsticks in relation to the FRC hearing. This did not prompt a reply and Mr Popplewell did not call back.

On 6 May 2025, Ms Howard called Mr Popplewell's mobile telephone number again. There was no reply and no voicemail facility and Ms Howard sent Mr Popplewell an email asking whether he proposed to attend the hearing. There was no reply to this, nor to any of the attempts by the Council's solicitors to contact Mr Popplewell.

The Committee was of the view that Mr Popplewell faced serious allegations and that there was a clear public interest in the matter being dealt with expeditiously. The Committee noted that, in relation to this hearing, Mr Popplewell had not responded to the many attempts by the Council and Capsticks to get in touch with him by both post and on the phone. The Committee thus considered an adjournment would serve no useful purpose because it seemed unlikely that Mr Popplewell would attend on any other occasion and he had not asked for the matter to be postponed. The Committee noted that Mr Popplewell had previously been in contact with the FRC by email on 27 and 29 January 2025 and he is clearly aware that action is being taken against him. In the second of those two emails he said, *"At this present time I will wait for your decision before filing a return (which I would be willing to complete in the event of a favourable outcome) likewise, I would also pay my*

*registered if I don't get struck off. Again apologies for the delay. I'll await your decision. Thank you."* (sic)

The Committee also noted that the papers for this hearing, that had been sent to Mr Popplewell by email, had been accessed and it was reasonable to infer that it had been Mr Popplewell who had done so. He should thus be in no doubt about the case against him and that it was due to be heard on 12 May 2025. In addition, on one occasion he (or someone with access to his phone) had replied to a phone call with a text message. In light of his almost complete lack of engagement throughout the investigation, and in relation to the hearing, the Committee concluded that Mr Popplewell had deliberately and voluntarily absented himself from the hearing and thereby waived his right to be present and to be represented at this hearing.

In all the circumstances, the Committee decided that it was in the interests of justice and in the public interest that the matter should proceed, notwithstanding the absence of Mr Popplewell. No adverse inference would be drawn from his non-attendance and the Committee would take into account the content of his two emails sent in January 2025.

Consideration for part of the hearing to be held in private  
Ms Curtis indicated that it may be appropriate for part of the hearing to be heard in private in the event that any mention were made of Mr Popplewell's health, in order to protect his privacy.

The Committee considered the matter with care and accepted the advice of the Legal Assessor, who referred to Rule 11 of the Rules. In accordance with Rule 11 hearings before the Committee ordinarily take place in public so that the public are aware of the functions being carried out by the Regulator. However, Rule 11(3) does allow for the hearing, or part of the hearing to be heard in private where it is in the interests of justice to do so. The interests of justice include compliance with Article 8 of the European Convention on Human Rights, which protect an individual's right to respect for their private and family life. Accordingly, the Committee agreed that if and when any reference were made to Mr Popplewell's health the public would be excluded in order to protect his private life and any reference to health matters in this determination would be marked private.

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## Admissions

There were no formal admissions to the Charges. Accordingly, the Committee proceeded on the basis that it was for the Council to prove all matters alleged.

## Background

Mr Popplewell faced charges in relation to two convictions, failing to disclose the first of those two convictions, making a false declaration on an Annual Return to the effect that he had no convictions and failing to provide Annual Returns to the Council.

Mr Popplewell first registered as a Farrier with the FRC on 1 September 2011. He was continuously registered with the FRC until 17 January 2018. The rest of Mr Popplewell's registration history is as follows:

Mr Popplewell did not pay his Annual Retention Fee and so he was removed from the Register of Farriers on 17 January 2018;

Mr Popplewell was restored to the Register of Farriers on 18 April 2018;

Mr Popplewell did not pay his Annual Retention Fee and so he was removed from the Register of Farriers on 8 January 2020;

Mr Popplewell was restored to the Register of Farriers on 21 January 2022;

Mr Popplewell did not pay his Annual Retention Fee and so he was removed from the Register of Farriers on 4 January 2023;

Mr Popplewell was restored to the Register of Farriers on 8 August 2024.

On 1 January 2016, it became obligatory for all Registered Farriers to send Annual Returns to the Council. The Council sends blank Annual Return forms to its registrants in the autumn before the year for which the Annual Return is due, with reminders following early in the year it is due. The Annual Returns include a question about whether the Registered Farrier has received any criminal convictions or cautions, with a space for details to be inserted if they have something to declare.

On 11 January 2016, at the County Durham and Darlington Magistrates' Court, following a guilty plea, Mr Popplewell was

convicted of an offence of depositing controlled waste on a bridleway without a permit (Charge 1).

The Council has no further information about this offence beyond that which appears in the Memorandum of Conviction and Mr Popplewell's comments (see below). The Council acknowledged that this conviction dates back some time, but the Council was not made aware of it by Mr Popplewell.

The Memorandum of Conviction shows that the offence took place on 28 September 2015, in Darlington. It consisted of depositing a large quantity of waste, including documentation, white goods, cardboard and general household items, on a bridleway, without the authority of an environmental permit issued under the Environmental Protection Act 1990. The offence was contrary to section 33(1)(a), (6) and (8) of the Environmental Protection Act 1990. The Memorandum shows that Mr Popplewell was fined £627 and ordered to pay a victim surcharge of £62 and costs of £287.20.

Mr Popplewell did not provide an Annual Return to the Council for 2016, whether before or after the conviction (Charge 4). The Council had sent him a blank Annual Return form on 15 October 2015 and a reminder on 29 January 2016.

On 18 October 2016, Mr Popplewell sent the Council an Annual Return for 2017, on which he ticked the box to say that he had no cautions or convictions to declare. His declaration that he had no convictions was not accurate, as he had been convicted on 11 January 2016, approximately nine months earlier (Charge 2(i)).

Mr Popplewell provided no Annual Return for 2018. There was a part of that year when he was not registered (in January 2018, his name was removed from the Register for non-payment of fees, and in April 2018 his name was restored). An Annual Return would have been required for this year, regardless of the period when he was un-registered (Charge 4). On 25 September 2017, the Council sent him a request for an Annual Return for 2018 and on 26 April 2018 they sent him a reminder. However, he still did not complete an Annual Return for 2018.

On 10 September 2018, Mr Popplewell submitted an Annual Return for 2019. On this form, he somewhat ambiguously ticked both boxes regarding convictions, in effect stating that he both had convictions/cautions and that he did not have convictions/cautions. He did not include any details of any conviction in the space provided (or anywhere else on the form).

# Hearing Updates >>>

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On 8 January 2020, Mr Popplewell was removed from the Register for non-payment of fees and he was not restored until January 2022. As he was not registered for the vast majority of 2020 and for all of 2021, the Council made no complaint about the absence of Annual Returns from him for those two years.

On 24 January 2022, Mr Popplewell was restored to the Register. At the point of his restoration, the Council wrote to him asking him to complete an Annual Return for 2022. He failed to provide any Annual Return for this year. As he was now registered, an Annual Return was obligatory and this failure is included in the charges (Charge 4).

On 4 January 2023, Mr Popplewell's name was removed from the Register for non-payment of his registration fees. There was no Annual Return submitted for 2023, but as he was not on the Register the vast majority of this year, the Council made no complaint about the absence of an Annual Return for 2023. He was not restored until August 2024. During the period when he was not registered, Mr Popplewell was not permitted to undertake farriery.

However, whilst he was off the Register, on 18 March 2023, Mr Popplewell undertook farriery. He was prosecuted by the Council and, on 7 September 2023, he was convicted of unlawful farriery (Charge 3). It is an offence, contrary to section 16 of the Farriers (Registration) Act 1975, for a person who is not registered with the Council to undertake farriery, unless a specified statutory exception applies: none of the statutory exceptions applied.

The offence took place at a yard in Dinnington, Newcastle upon Tyne. Ms JB had arranged for Mr Popplewell to attend that yard to shoe her horse, a nine year old gelding named Simba. She had seen Mr Popplewell's details on Facebook. The Facebook entry said that Mr Popplewell was registered.

Mr Popplewell attended the yard as arranged with Ms JB, and undertook farriery to Simba, by removing shoes from the horse's feet, preparing the horse's feet for new shoes and then nailing on new shoes to Simba's front feet. Ms JB was present and witnessed Mr Popplewell undertake the farriery to her horse. Two other horse owners were present at the yard and they also witnessed Mr Popplewell shoe Simba.

The prosecution was brought in the Newcastle Magistrates' Court. On 7 September 2023, the matter was proved in Mr

Popplewell's absence. He was convicted, fined £440 and ordered to pay a victim service surcharge of £176. He was also ordered to pay the Council's costs in the sum of £500.

Mr Popplewell was restored to the Register on 8 August 2024. At the point of his restoration, on 9 August 2024, the Council wrote to him asking for an Annual Return for 2024. He failed to provide one (Charge 4).

On 2 September 2024, 24 September 2024, 24 October 2024 and 3 March 2025, the Council wrote to Mr Popplewell asking for an Annual Return for 2025. He failed to provide one (Charge 4) and in fact indicated in his email of 29 January 2025 that he would await the outcome of this hearing before deciding whether to do so.

## **Mr Popplewell's comments to the Council**

On 3 September 2024, Mrs W, Professional Conduct Assistant at the Council, wrote to Mr Popplewell asking for his comments on the two criminal convictions. There was no reply and so, on 24 September 2024, Mrs W wrote to him again, asking for his comments on the convictions. She also asked for an Annual Return for 2025. There was no reply and so, on 24 October 2024, Mrs W wrote to him again, asking for comments on the convictions and for a completed Annual Return.

There was no reply to any of Mrs W's letters and so, on 15 January 2025, she telephoned Mr Popplewell. She spoke to him, asking whether he would like to make comments on the convictions, which were to be considered by the Council's Investigating Committee the following month. The same day, Mrs W sent him an email asking for his comments and for an Annual Return. She attached copies of her previous correspondence, a blank Annual Return for completion and copies of the two Memoranda of Conviction.

On 27 January and 29 January 2025, Mr Popplewell sent emails to the Council. In the first email he apologised for the delay in replying. [private - redacted] In the second email, he made a number of comments on the matters raised. In relation to the conviction of 11 January 2016, he stated:

*"With regard to the depositing of controlled waste in 2016, I was found guilty which was nine years ago. Since then I have become a much more responsible person and regret my actions now if I have any waste to dispose of I use my local time." [sic]*

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In response to the conviction of 7 September 2023, he stated:

*"I was shoeing horses without registration occasionally in 2024 [private - redacted] When I was [private - redacted] able to return shoeing horses, I applied for my registration. Which was accepted in September 2024." [sic]*

In relation to the Council's request to file an Annual Return, he stated:

*"At this present time I will wait for your decision before filing a return (which I would be willing to complete in the event of a favourable outcome) likewise, I would also pay my registered if I don't get struck off." [sic]*

Mr Popplewell did not attend the hearing, so there was no further information from him for the Committee to consider.

#### **DECISION OF THE DISCIPLINARY COMMITTEE ON THE FACTS**

The Legal Assessor reminded the Committee of the burden and standard of proof to be applied and of Rule 6, which requires the Committee to deliberate and decide any facts that are not admitted.

The Committee heard oral evidence from Mrs W, who produced the documents relied on by the Council in this case.

In relation to Charges 1 and 3, the Committee was provided with the Memoranda of Convictions. The Committee noted Mr Popplewell's acceptance, in his email of 29 January 2025, that he had been found guilty of depositing controlled waste in 2016. Furthermore, he admitted, in the same email, that he had been carrying out farriery in 2024 when not registered (although his conviction was for farriery carried out in 2023). The Legal Adviser advised the Committee that it could not go behind a conviction and since the Committee had proof by way of the Memoranda, as supported by Mr Popplewell's own comments, the Committee found both Charges 1 and 3 proved.

With regards to Charge 2(i), the Committee was provided with Mr Popplewell's Annual Return for 2017, received by the Council on or around 18 October 2016, and could see that Mr Popplewell had not declared his conviction, as required. There was no evidence that he had previously declared the conviction and the Committee accepted the unchallenged evidence of Mrs W, that no Annual Return had been submitted for 2016. Accordingly, the Committee found Charge 2(i) proved.

Mrs W also gave evidence that at no time between 18 October 2016 and 4 February 2025, did Mr Popplewell disclose to the Council the fact that he had this conviction. It was right to say that, somewhat ambiguously, on 10 September 2018, Mr Popplewell submitted an Annual Return for 2019, in which he ticked both boxes regarding convictions, in effect stating that he both had convictions/cautions and that he did not have them. However, he did not include any details of any conviction in the space provided (or anywhere else on the form), so this could not be said to have been a disclosure of the said conviction. [private - redacted] Accordingly, the Committee was satisfied, on the balance of probabilities, that between 18 October 2016 and 4 February 2025, Mr Popplewell failed to disclose the conviction to the Council. It therefore found Charge 2(ii) proved.

The Committee then had to decide whether such conduct was misleading and/or dishonest. The obligation to complete an Annual Return is an important one as it is designed to protect the public by providing assurance that the Farrier completing the Return has not been convicted of a criminal offence in the 12 months between the period of each Return and also that they have professional indemnity insurance in place. The Annual Return plays an important role in enabling the FRC to exercise its supervisory jurisdiction over the profession and thereby protect the public. They provide the only line of sight for the Council to ensure that Farriers' details are up to date and that they have professional indemnity insurance in place.

With regards to Charge 2(i) and Mr Popplewell's declaration that he had no convictions to declare when completing the Annual Return in October 2016, this was clearly untrue. It was, therefore misleading in that it suggested he had no convictions when that was not the case. The Committee therefore found Charge 2(iii)(a) proved, insofar as it relates to Charge 2(i).

The Committee then had to decide whether such conduct was dishonest. The Council argued that it was because when Mr Popplewell was completing the form, he must have known that he had been convicted earlier that same year and yet made a positive declaration to the effect that he had no convictions that had not previously been declared. The Legal Adviser directed the Committee to the case of [Ivey v Genting Casinos \(UK\) Ltd t/a Crockfords](#) [2017] UKSC 67, where the test for determining dishonesty is set out. First the Committee had to ascertain, subjectively, the actual state of Mr Popplewell's knowledge or belief as to the facts. Since he was not at the

# Hearing Updates >>>

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hearing, the Committee had to draw inferences from the circumstances. The circumstances were that on 11 January 2016 he was convicted of depositing controlled waste without a licence. He would have known that to be the case as he attended Court and entered a guilty plea. It was therefore reasonable to draw the inference that, when completing his Annual Return on or around 18 October 2016, i.e. the same year, he knew he had a conviction and, since the form was in plain English and, in the Committee's view, very clear, he must have known he had to declare his conviction. Furthermore, he had completed other parts of the form accurately. The Committee concluded that he deliberately chose not to declare his conviction. The only conceivable reason for deliberately withholding such information was to hide from the Council the fact that he had been convicted. The Committee was satisfied that, in accordance with the test in *Lvey (ibid)*, ordinary decent people would find that to be dishonest. Accordingly, the Committee found Charge 2(iii)(b) proved, insofar as it related to Charge 2(i).

With regards to Charge 2(ii), Mr Popplewell's failure to ever disclose his conviction to the Council was equally misleading. It meant that at any time that a member of the public checked the Register (on the occasions that Mr Popplewell was actually registered), they would have been misled into believing he had not been convicted in 2016 of depositing controlled waste without a licence. Accordingly, the Committee found Charge 2(iii)(a) proved, insofar as it relates to Charge 2(ii).

The Committee then had to decide whether such conduct was dishonest and concluded it was for the same reasons as it found dishonesty in relation to 2(i). That is to say, the Committee was satisfied that Mr Popplewell had made a conscious decision to hide from the Council the fact that he had been convicted of an anti-social act. The Committee was satisfied that an ordinary, decent person would find such deceit to be dishonest.

Charge 4 the Committee found proved on the basis of the unchallenged evidence of Mrs W, as supported by the documentary evidence showing when Mr Popplewell did and did not submit Annual Returns. The Committee was satisfied, there being no evidence to the contrary, that Mr Popplewell was duty bound to submit Annual Returns to the Council for 2016, 2018, 2022, 2024 and 2025 and failed to do so. With regard to 2025, Mr Popplewell said he was awaiting the outcome of this hearing before submitting an Annual Return,

thereby admitting that he had not yet done so.

## **SUBMISSIONS OF THE PARTIES ON SERIOUS MISCONDUCT IN A PROFESSIONAL RESPECT**

Ms Curtis submitted that Mr Popplewell was guilty of serious misconduct in a professional respect. She drew the Committee's attention to the Code (in its various iterations in 2017, 2021 and 2024) and in particular the guiding principle that Registered Farriers are expected to:

- *be honest and trustworthy*
- *uphold the good reputation of the Farriery profession*
- *understand and comply with your legal obligations*
- *avoid situations both within and outwith the professional context which could be in breach of criminal law (or as per the 2024 Code - breach of the law, not just criminal law), or may call into question your fitness to practise*

Ms Curtis also referred to paragraph 16(c) of the 2021 and 2024 versions of the Code, which states that Farriers must not engage in any activity or behaviour that would be likely to bring the profession into disrepute.

Ms Curtis advised the Committee that all four editions of the Code/Guide include the following, with some minor adaptations to the wording:

*"The circumstances in which serious misconduct in a professional respect may be considered to have occurred are so varied that it is impossible to catalogue or to even envisage them all. Generally speaking, a minor breach of this Code of Professional Conduct might well not amount to serious professional misconduct. Repeated minor breaches in aggregate could well do so. However a single, serious breach might also lead to such a finding.*

*... Behaviour which calls into question a farrier's honesty or integrity could amount to serious misconduct, ..."*

With regards to criminal convictions, Ms Curtis highlighted that each edition of the Guide/Code is similar in wording. The 2014 (para 48) and 2017 (para 47) editions both provide as follows:

*"The FRC is required to consider any conviction against a Registered Farrier which involves cruelty to animals.*

*Other serious criminal offences may have to be considered if they indicate that a farrier may have been guilty of serious professional misconduct.*

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*Not every criminal offence will necessarily be notified to the FRC or referred to the Disciplinary Committee, but rather only those which are likely to affect the farrier's ability or fitness to practice, call their honesty into question, endanger the public or bring the profession into disrepute. See section*

*(2) Conduct falls into the second limb if it is dishonourable or disgraceful or attracts some kind of opprobrium; that fact may be sufficient to bring the profession of medicine into disrepute. It matters not whether such conduct is directly related to the exercise of professional skills."*

Section 21b of both 2014 and 2017 Codes provides:

*"21. All Registered Farriers are required to ...*

*b. inform the FRC of any cautions or convictions received, by annual declaration (with effect of January 2016)."*

The 2021 version of the Code provides the following in relation to criminal offences (other than cruelty to animals), at paragraph 94. The 2024 version contains a paragraph (at 95) which is to all intents and purposes the same:

*"Serious criminal offences will usually amount to a matter of serious misconduct, but not every offence shall be viewed as serious. Not every criminal offence will necessarily be notified to the FRC or referred to the DC, but as a guide, offences which are likely to affect the farrier's ability to practise, call their honesty and integrity into question, endanger the public or bring the profession into disrepute – these examples are not exhaustive – may amount to serious misconduct. ..."*

Ms Curtis submitted that the obligation to provide an Annual Return to the Council is included in paragraphs 15 and 84 of the 2021 edition and paragraphs 15 and 85 of the 2024 edition. She further submitted that it is clear in each of these paragraphs that the obligation is to include a declaration of any non-spent convictions and cautions imposed since the last declaration.

With regards to conduct outside professional practice, Ms Curtis referred the Committee to the case of R (on the application of Remedy (UK) Ltd) -v- General Medical Council [2010] EWHC 1245 (Admin), in which it was stated:

*"(1) Misconduct is of two principal kinds. First it may involve sufficiently serious misconduct in the exercise of professional practice such that it can properly be described as misconduct going to fitness to practise. Second, it can involve conduct of a morally culpable or otherwise disgraceful kind which may, and often will, occur out with the course of professional practice itself, but which brings disgrace upon the doctor and thereby prejudices the reputation of the profession;*

Having detailed the relevant provisions in the Codes of, and Guidelines to, Professional Conduct, Ms Curtis then made specific submissions on the charges as follows.

#### Conviction in 2016 for offence contrary to the Environmental Protection Act 1990 - Charge 1

She submitted that the facts underlying Mr Popplewell's conviction for an environmental offence amounted to serious misconduct in a professional respect. Ms Curtis said it may constitute conduct which falls outside the scope of professional practice, but it nonetheless is serious in nature. The particulars of the offence indicated that a large quantity of waste, including documentation, white goods, cardboard and general household items, was deposited on a bridle path, which is by its nature a route used by horse-riders, as well as other members of the public such as pedestrians and hikers.

Ms Curtis submitted that such an offence is anti-social and liable to cause unpleasantness and inconvenience to members of the public attempting to enjoy the countryside. Such behaviour goes beyond the sort of minor littering which would lead to a fixed penalty, as envisaged in the (subsequent) 2021 Code, and is of a serious nature. She submitted that it represents a failure to uphold the good reputation of the farriery profession and is therefore a breach of one of the Guiding Principles in place since 2014.

#### Dishonest/misleading declaration and failing to declare – Charge 2

By failing to disclose the 2016 conviction, Ms Curtis submitted, Mr Popplewell undermined the Council's attempts to ensure that it held relevant information about its registrants and to take appropriate, timely action to uphold the reputation of the profession and maintain public confidence in the profession. Without knowing about the conviction nearer the time it was imposed, the Council was unable to make a prompt assessment of what regulatory action might be appropriate in terms of complying with its public interest duties.

Ms Curtis argued that the dishonesty involved in making a false declaration to the effect that he had no convictions

# Hearing Updates >>>

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was particularly serious. She said that being honest and trustworthy features as one of the Guiding Principles of the profession, in the 2014 edition of the Guide as well as all following editions. Ms Curtis referred the Committee to the Disciplinary Committee Manual, which includes the following (paragraph 21) when dealing with the issue of dishonesty:

*“Proven dishonesty has been held to come at the ‘top end’ of the spectrum of gravity of misconduct in a professional respect. In such cases, the gravity of the matter may flow from the possible consequences of the dishonesty as well as the dishonesty itself.”*

The conduct underlying charge 2, submitted Ms Curtis, is serious in nature, represents a breach of a fundamental tenet of the profession in terms of behaving honestly and has the potential to undermine public confidence in the profession, as well as the regulator and regulatory processes.

#### Conviction in 2023 for unlawful farriery – Charge 3

Ms Curtis submitted that practising farriery when unregistered is a serious matter. She said it is important to note that the purpose of a finding of serious misconduct in a professional respect following a conviction of this kind is not sought in order to serve as a double sanction following the criminal sentence. The purpose of regulatory proceedings, including a finding of serious misconduct in a professional respect, is to protect and uphold the public interest in ensuring that only those professionals who are fit to practise are allowed to do so, with sanctions imposed where necessary in order to uphold public confidence in statutory regulators and their regulatory processes.

Ms Curtis said it should be apparent to all Registered Farriers that registration is a pre-requisite to undertaking farriery and that a failure to maintain registration carries with it multiple risks. These include risks to animal welfare through unregistered individuals shoeing horses, risks of financial loss to clients resulting from lack of Professional Indemnity Insurance and risks of harm to the reputation of the profession.

Ms Curtis acknowledged that before this offence, Mr Popplewell was registered with the Council and had previously been allowed to undertake farriery lawfully. She said it may therefore be the case that any risks to animal welfare in this case were minimal: this was not a case of a wholly inexperienced and unqualified person attempting to shoe

a horse. The conduct did, however, entail the other risks associated with unlawful farriery, she had identified. This included a risk to Simba’s owner, in terms of a potential lack of insurance cover should anything have gone wrong with the work. It also entailed a risk of undermining public confidence in the profession, public confidence in the Council as the profession’s regulator and public confidence in the Council’s regulatory processes.

Ms Curtis submitted that it is important that members of the public may be assured that, if they entrust their horse to a Farrier, that Farrier is properly registered and therefore regulated in terms of their fitness to practise. By practising without registration, she submitted, Mr Popplewell deprived members of the public of that assurance, and confidence in the whole regulatory process was therefore potentially compromised. Ms Curtis said that such a flagrant breach of the regulatory processes imposed by Statute falls far short of the conduct expected of a member of the profession.

#### Failure to provide Annual Returns – Charge 4

Ms Curtis submitted that by failing to provide Annual Returns, Mr Popplewell frustrated the Council’s efforts to ensure that it held up-to-date information regarding (a) personal details, (b) existence of any convictions and/or cautions and (c) professional indemnity insurance. Ms Curtis submitted that frustrating a regulator’s efforts to ensure that it has relevant and contemporaneous information for the individuals whom it is seeking to regulate, risks undermining public confidence in that regulator in terms of its regulatory processes.

Ms Curtis argued the conduct was aggravated by the fact that it was repeated on five occasions, over a period of many years, from 2016 to early 2025. The fact that Mr Popplewell submitted two Annual Returns indicated that he was aware he needed to do so and yet he failed to comply with his obligation for many other years. The failure to provide the Annual Returns took place despite letters and reminders from the Council asking him to do so. Ms Curtis said the most recent failure to provide an Annual Return is aggravated by Mr Popplewell’s indication (in his email of 29 January 2025) that he would only do so if the outcome in relation to these proceedings was “favourable”.

### **DECISION OF THE DISCIPLINARY COMMITTEE ON SERIOUS MISCONDUCT IN A PROFESSIONAL RESPECT**

The Committee accepted the advice of the Legal Assessor

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who referred to the principles to be applied when considering serious misconduct in a professional respect.

As a Registered Farrier, Mr Popplewell was duty bound to abide by the Guiding Principles set out in the relevant provisions in the Codes of, and Guide to, Professional Conduct. They include upholding the good reputation of the farriery profession and complying with legal obligations. The Committee noted that Mr Popplewell's conviction in 2016 for depositing controlled waste occurred over nine years ago and also that it was not this Committee's role to punish him for a second time. However, it is this Committee's role to uphold standards and maintain public confidence in the profession of farriery. When a Registered Farrier commits an anti-social offence of this nature, it reflects badly on the profession and has the potential to undermine public confidence in Farriers and the FRC. Fly-tipping is an absolute scourge on society, it is disgraceful conduct, is not the sort of behaviour expected of a registered professional and would be considered deplorable by fellow members of the profession. For a Farrier to choose a bridleway to deposit such waste was particularly aggravating. The Committee was satisfied that it fell far short of the standard expected of a Registered Farrier and amounted to serious misconduct in a professional respect, notwithstanding the fact that it was behaviour unconnected with Mr Popplewell's role as a Farrier.

Mr Popplewell's behaviour was exacerbated by his failure to ever disclose that conviction to the Council over a period of nine years. The Committee has found that failure to be both misleading and dishonest. It prevented the Council from carrying out its regulatory function of ensuring the continued suitability of its members to be on the Register. The dishonesty involved making a false declaration to the effect that he had no convictions. This was, in the Committee's view, particularly serious. Being honest and trustworthy features as one of the Guiding Principles of the profession. Such behaviour has the potential to undermine public confidence in the profession, as well as the Regulator and regulatory processes. The Committee was satisfied that it fell far short of the standard expected of a Registered Farrier and amounted to serious misconduct in a professional respect.

On 7 September 2023, Mr Popplewell was convicted of the criminal offence of carrying out unlawful farriery, contrary to section 16 of the Farriers (Registration) Act 1975. By doing so, Mr Popplewell was in clear breach of paragraph 16(c) of the Code, which states that Farriers must not engage

in any activity or behaviour that would be likely to bring the profession into disrepute. As a Registered Farrier (on and off) for many years, Mr Popplewell would have been aware of this. The Committee was in no doubt that such behaviour would undermine public confidence and trust in the profession and the Council as its Regulator, since it goes to the very heart of the requirement for registration and regulation. Although the welfare risks were potentially minimal, these were outweighed by the risks involved in not having insurance and the risk to public perception of farriery. In the Committee's view Mr Popplewell's conduct fell far below that expected of a Registered Farrier and amounted to serious misconduct in a professional respect.

Mr Popplewell also failed to submit Annual Returns for five separate years, whilst registered as a Farrier. He submitted two Annual Returns over the years so was aware of the need to do so. He clearly ignored the repeated requests and reminders to complete Annual Returns and thereby obstructed the regulatory function of the Council. The obligation to complete an Annual Return is an important one as it is designed to protect the public by providing assurance that the Farrier completing the Return has not been convicted of a criminal offence in the 12 months between the period of each Return and also that they have professional indemnity insurance in place. The Annual Return plays an important role in enabling the FRC to exercise its supervisory jurisdiction over the profession and thereby protect the public. They provide the only line of sight for the Council to ensure that Farriers' details are up to date and that they have professional indemnity insurance in place. In the Committee's judgment, Mr Popplewell's repeated failure to complete a Return was a clear breach of the Code and amounted to serious misconduct in a professional respect, since it prevented the Council from carrying out its regulatory functions designed to safeguard the public.

Accordingly, the Committee found each of the Charges individually amounted to serious misconduct in a professional respect, without the need to consider any of them cumulatively.

#### **DECISION OF THE DISCIPLINARY COMMITTEE AS TO SANCTION**

The Legal Assessor reminded the Committee of the Indicative Sanctions Guidance and of the need for proportionality when considering sanction. The purpose of any sanction was not to

# Hearing Updates >>>

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punish but to arrive at a proportionate outcome to the case, having regard to the Committee's responsibility to protect animal welfare and to promote and maintain proper standards of conduct for Registered Farriers.

The Committee first considered the aggravating and mitigating factors present in this case.

The Committee found there to be the following aggravating factors:

- the behaviour was reckless, premeditated and repeated;
- a breach of trust (in the case of Simba's owner);
- a blatant or wilful disregard of the role of the FRC and the systems that regulate the Farriery profession;
- a lack of insight.

The Committee acknowledged that Mr Popplewell's anti-social behaviour, resulting in the conviction, took place some time ago and he had been duly punished by the criminal courts. If the Committee were only concerned with this matter, any sanction would likely be at the lower end of the scale. However, Mr Popplewell was duty bound to accurately and honestly complete his Annual Return in October 2016 and to declare his conviction. Not only did he fail to do this, he failed at any time to notify the Council of this conviction. The Committee has found this conduct was both misleading and dishonest. As referred to by Ms Curtis above, the FRC Disciplinary Manual states that, *"Proven dishonesty has been held to come at the 'top end' of the spectrum of gravity of misconduct in a professional respect. In such cases, the gravity of the matter may flow from the possible consequences of the dishonesty as well as the dishonesty itself."* Mr Popplewell's dishonesty meant the Council had no knowledge of his criminal conviction and was thus prevented from taking any necessary regulatory action, until now, as a result. This elevated the seriousness of the professional misconduct in a professional respect.

However, it does not end there, as Mr Popplewell also took it upon himself to carry out unlawful farriery, contrary to the section 16 of the Farrier's Act, resulting in his conviction in 2023. Even though the risks may have been minimal due to the fact that Mr Popplewell had been registered as a Farrier, if things had gone wrong there would have been no indemnity insurance in place to assist the owner. The whole purpose of regulation is so that members of the public can be assured that, if they entrust their horse to a Farrier, that Farrier is properly registered and therefore regulated in terms of their fitness to practise. By practising without registration, Mr

Popplewell deprived members of the public of that assurance, and confidence in the whole regulatory process was therefore potentially compromised. This was a flagrant breach of the regulatory processes imposed by Statute and goes to the heart of the purpose of the FRC and public and equine protection.

Mr Popplewell's conduct was further exacerbated by his repeated failure over five different years to complete his Annual Returns. As stated above, these provide crucial information to the Council, essential in enabling the FRC to carry out its regulatory function and to ensure Registered Farriers are compliant with the law and properly insured. It is the only way the Council has to ensure its members are compliant and relies upon the integrity of each individual Farrier to complete their Returns.

With reference to Charge 4, the case involved a disregard of the role of the FRC and the systems that regulate the Farriery profession, in that Mr Popplewell should have known the importance of filling in his Annual Returns and should have ensured he sent them in.

The Committee then considered the mitigating factors. The Committee took into account the regret Mr Popplewell expressed in relation to depositing the controlled waste in 2016. It also took into account his admission that he was shoeing horses without registration occasionally [private - redacted].

The Committee considered each sanction in ascending order.

The Committee considered the case was too serious to take no further action, as Mr Popplewell's conduct involved a conviction for anti-social behaviour, dishonesty associated thereto, a conviction for carrying out unlawful farriery whilst unregistered and failing to complete many Annual Returns.

The Committee did not consider any purpose would be served by postponing sanction.

The Committee next considered whether the case could be addressed by means of a reprimand or warning. The Council's sanctions guidance states:

*"Where the Disciplinary Committee is minded to issue a reprimand or warning as to future conduct, it will consider whether a reprimand or warning provides adequate protection*

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to animals, the reputation of the profession and the wider public interest, bearing in mind that a reprimand or warning has no direct effect on the right to practise. A reprimand might be appropriate if the serious professional misconduct is at the lower end of the spectrum of gravity for such cases and, for example, there is no risk to animals or to the profession's reputation or to the wider public interest that requires registration to be restricted."

The guidance goes on to say:

**A reprimand or warning may be appropriate where:**

- **the misconduct is at the lower end of the spectrum of seriousness and;**
- **there is no future risk to animals or the public, and;**
- **there is evidence of insight.**

Dishonest conduct is clearly very serious, as is a conviction for practising farriery whilst not registered, whatever the particular circumstances of the case or the extent of the mitigation. The Committee did not consider the misconduct in this case to be at the lower end of the spectrum of seriousness. There was no suggestion of Mr Popplewell representing a direct risk to animals or the public, however by performing farriery whilst not registered he is unlikely to have been covered by any professional indemnity insurance and, significantly, he was committing a criminal offence. With regard to insight, although he has expressed some regret about his fly-tipping, his very brief comments fall far short of demonstrating insight into his catalogue of failures. [private - redacted] The Committee concluded there was no real evidence of insight.

With regard to the Annual Returns it is imperative that Mr Popplewell and all Farriers understand and recognise the absolute necessity of Annual Returns to allow the Council to carry out its Regulatory functions.

The Committee therefore concluded that a reprimand or warning would not be appropriate or proportionate in this case.

The Committee next considered the sanction of suspension. The Guidance states that:

*Suspension may be appropriate where some or all of the following apply:*

- *the misconduct is serious, but a lesser sanction is appropriate;*

- *The Respondent Registered Farrier has insight into the seriousness of the misconduct and there is no significant risk of repeat behaviour;*
- *The Respondent Farrier is fit to return to practice after a period of suspension.*

There was no doubting that the misconduct in this case is serious, as stated above. In addition, the Committee has already found there to be little evidence of insight. Consequently there is a significant risk that he will repeat the behaviour and thus it could not readily be said that he would be fit to return to practice after a period of suspension.

Since none of the factors appropriate for a suspension were present in this case, the Committee next looked at whether removal from the Register would be justified in this case.

The Guidance states that removal from the Register may be directed where the Registered Farrier's behaviour is so serious that removal of professional status, and the rights and privileges accorded to this status, is the only means of protecting equine welfare, the reputation of the profession and the wider public interest. It is not imposed as a punitive measure, although it will almost invariably adversely affect the Respondent Registered Farrier.

The Committee reminded itself that the reputation of the profession is more important than the interests of one Registered Farrier and, as Lord Bingham, Master of the Rolls stated in the case of *Bolton v Law Society* (1995) 1 WLR:

*"The reputation of the profession is more important than the fortunes of an individual member. Membership brings many benefits, but that is part of the price."*

The Guidance also states that removal from the Register may be appropriate where the behaviour is fundamentally incompatible with being a Registered Farrier, and may involve a serious departure from professional standards as set out in the Farrier, Approved Training Farrier & Apprentice Code of Professional Conduct.

The Committee did not consider there to be any direct equine welfare issues in this case. However, Mr Popplewell is guilty of a number of serious matters. They include antisocial behaviour resulting in a conviction and then, in a misleading and dishonest way, hiding that fact from the Council, thereby preventing it from carrying out its regulatory function. It also

# Hearing Updates >>>

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involved carrying out farriery whilst unregistered, which goes to the very heart of the Farriers (Registration) Act. The primary purpose of the Act is to ensure that only Registered Farriers carry out farriery. The Committee accepts that Mr Popplewell has carried out registered farriery for a number of years, but one cannot escape the fact that for a time he was knowingly unregistered and yet performed farriery, resulting in a criminal conviction. That behaviour was compounded by his failure over a ten year period to complete his Annual Returns for five of those ten years, thereby preventing the Council from carrying out its regulatory oversight as dictated by Parliament. Even now, Mr Popplewell has not completed his Annual Return for 2025, saying he would only be willing to do so in the event of a favourable outcome of this hearing.

Given the pattern of behaviour, over an extended period of time, some of it misleading and dishonest, the Committee concluded that Mr Popplewell has harmful deep-seated attitudinal problems, whereby he does not feel he has to comply with the duties and obligations associated with being a Registered Farrier. He has demonstrated little insight, there is a high risk of repetition and there has been a very serious departure from the required standards. In such circumstances, the Committee consider his behaviour to be fundamentally incompatible with being a Registered Farrier and that therefore the only appropriate and proportionate sanction is that of removal from the Register.

The Committee was aware of the harsh impact upon Mr Popplewell of such a sanction, but was of the view that the need to protect the public's confidence in the profession of Farriers, outweighed his interests. The Committee considered it was necessary to send out a clear message to the profession and the public that dishonest behaviour and carrying out farriery whilst unregistered will not be tolerated and that Farriers must comply with their professional obligations to complete Annual Returns.

Accordingly, the Committee directs the Registrar to remove Mr Popplewell's name from the Register.

The Committee had regard to the terms of section 15(7) of the Farriers (Registration) Act 1975 (as amended). That section permits a Farrier whose name has been removed from the Register in consequence of a direction from the Disciplinary Committee, to apply to the Disciplinary Committee to be considered for registration again. In accordance with section

15(7), the Disciplinary Committee is empowered to prohibit any such application for a specific period from the date of the direction for removal that it has given.

In the present case, the Committee has decided to give a direction under section 15(7) and to direct that any application for registration again shall not be made until a period of 18 months has elapsed from the date of this direction. The Committee considers this to be a proportionate period to reflect the seriousness of the case and having regard to the lack of mitigating features identified.

This Order will take effect 28 days after formal notice has been given, to reflect the period during which an appeal against the Order may be made.

## **Note**

Section 15(7) of the Farriers (Registration) Act 1975 provides as follows:

*"A person whose name is removed from the register, in pursuance of a direction of the Disciplinary Committee under this section shall not be entitled to be registered in the register again, except in pursuance of a direction in that behalf given by the Committee on the application of that person; and a direction under this section for the removal of a person's name from the register may prohibit an application under this subsection by that person until the expiration of such period from the date of the direction (and where he has duly made such an application, from the date of his last application) as may be specified in the direction."*

## **Disciplinary Committee, 12 May 2025**



## Higher Qualifications Achieved

The following farrier has gained a higher level qualification and is warmly congratulated:

Mr Y Sharp BSc (Hons) PGCert

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## Temporary Licence Applications

The Council has received applications for Fixed Term Temporary Licences as follows:

- **Mr J Eurenus**, a Swedish National with professional working experience gained in Sweden, was granted a temporary licence from 21 February to 23 February 2025, under the supervision of the ATF, Mr J D Tovey FWCF for the purposes of his participation in the Household Cavalry Pairs Competition.
  - **Mr P Nilsson**, a Swedish national with professional working experience gained in Sweden, was granted a temporary licence from 21 February to 23 February 2025, under the supervision of the ATF, Mr J D Tovey FWCF for the purposes of his participation in the Household Cavalry Pairs Competition.
  - **Mr E Solano Calvo**, of Costa Rica with professional working experience gained in Costa Rica, was granted a temporary licence from 5 April to 30 June 2025, under the supervision of the ATF, Mr Y Sharp BSc (Hons) PGCert.
  - **Mr G R Baudry**, an Argentinian national with professional working experience gained USA and Argentina, was granted a temporary licence from 26 March to 28 July 2025, under the supervision of the ATF, Mr K J Herbert DipWCF.
  - **Mr S Bodner**, a Swedish national with professional experience gained in Sweden and Germany, was granted a temporary licence from 15 May to 17 May 2025, under the supervision of the ATF, Mr A W Casserly FWCF for the purposes of his participation at the Devon County Show.
  - **Mr C Magnusson**, a Swedish national with professional experience gained in Sweden, was granted a temporary licence from 15 May to 17 May 2025, under the supervision of the ATF, Mr A J Bowyer FWCF GradDip ELR for the purposes of his participation at the Devon County Show.
  - **Mr J Eurenus**, a Swedish national with professional experience gained in Sweden, was granted a temporary licence from 15 May to 17 May 2025, under the supervision of the ATF, Mr A J Bowyer FWCF GradDip ELR for the purposes of his participation at the Devon County Show.
  - **Mr S Bodner**, a Swedish national with professional experience gained in Sweden and Germany, was granted a temporary licence from 6 June to 8 June 2025, under the supervision of the ATF, Mr J W Hayter DipWCF Hons for the purposes of his participation at the South of England Farriery Competition.
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Established under the  
Farriers (Registration) Act 1975



# Instruction to your bank or building society to pay by Direct Debit

Please fill in the whole form including official use box using a ball point pen and send it to:

Farriers Registration Council  
14 Swan Court  
Forder Way  
Cynet Park  
Hampton  
Peterborough  
PE7 8GX

Name(s) of account holder(s)


Bank/building society account number

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Branch sort code

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Name and full postal address of your bank or building society

To: The Manager	Bank/building society
Address	
Postcode	

Reference

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Service user number

6	3	0	1	8	0
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FOR FARRIERS REGISTRATION COUNCIL OFFICIAL USE ONLY  
This is not part of the instruction to your bank or building society.

If you are not the farrier but wish to make payments on their behalf, please add your address details here:

**Instruction to your bank or building society**

Please pay Farriers Registration Council Direct Debits from the account detailed in this Instruction subject to the safeguards assured by the Direct Debit Guarantee. I understand that this Instruction may remain with Farriers Registration Council and, if so, details will be passed electronically to my bank/building society.

Signature(s)
Date

Banks and building societies may not accept Direct Debit Instructions for some types of account

DDI1

This guarantee should be detached and retained by the payer.

## The Direct Debit Guarantee

- This Guarantee is offered by all banks and building societies that accept instructions to pay Direct Debits
- If there are any changes to the amount, date or frequency of your Direct Debit the Farriers Registration Council will notify you ten working days in advance of your account being debited or as otherwise agreed. If you request the Farriers Registration Council to collect a payment, confirmation of the amount and date will be given to you at the time of the request.
- If an error is made in the payment of your Direct Debit, by the Farriers Registration Council or your bank or building society, you are entitled to a full and immediate refund of the amount paid from your bank or building society
  - If you receive a refund you are not entitled to, you must pay it back when the Farriers Registration Council asks you to
- You can cancel a Direct Debit at any time by simply contacting your bank or building society. Written confirmation may be required. Please also notify us.

# Appointed Members of the Farriers Registration Council



## Chair of the Council

Dr J Sutton  
BVetMed, Cert EP, MRCVS

## Appointing Body:

Royal College of Veterinary Surgeons

## Appointee Name:

Mr Y Breisner

Ms J Bryan

Mr A B Charlwood

Operations Superintendent K Colman

Mr I Davidson

Mr S Green AWCF

Mr D Harman AWCF GradDipELR

Mr B J Howson AWCF

Mr R A Kearn DipWCF

Mr R P May AWCF

Mr C D McKell DipWCF

Mr D Mountford MA VetMB MRCVS

Mr J Sim AWCF

Mr M Weston

Vacancy

## Appointing Body:

British Horseracing Authority (BHA)

Lantra

The Worshipful Company of Farriers (WCF)

Royal Society for the Prevention of Cruelty to Animals (RSPCA)

Scottish Enterprise

Appointed by Election Scheme

The British Farriers and Blacksmiths Association (BFBA)

Appointed by Election Scheme

Appointed by Election Scheme

The Worshipful Company of Farriers (WCF)

Appointed by Election Scheme

Royal College of Veterinary Surgeons (RCVS)

The British Farriers and Blacksmiths Association (BFBA)

British Equestrian Federation

The Worshipful Company of Farriers (WCF)

