



AN INTERVIEW WITH SEAN BRUNTON QC

BY EDIE BOWLES

Sean Brunton is a recognised expert on animal welfare. He has prosecuted and defended in numerous cases for and against Local Authorities, the RSPCA and DEFRA. He has appeared in cases involving huntsmen, fisheries and farmers.

Did you always know you wanted to be a lawyer?

I only found out that barristers even existed when I was doing some work experience at a solicitor's firm in London when I was aged about 20. They sent me off to Court to 'sit behind counsel' and I just thought, 'Why

would anybody want to be sitting back here? I just want to be up in that front row, arguing my corner, explaining my case, helping my client to tell their story.'

Why did you choose to be a barrister rather than solicitor?

For the reasons set to above! The primary attraction of the Bar to me has always been in the challenge of presenting and explaining a case to a tribunal, no matter how complex or superficially unattractive. Whilst there are many more roles for solicitors which now involve an element of advocacy, that was not the case back in the early 1990's.

When did you decide you wanted to practice in Animal Law?

Having grown-up on a farm, I have always been interested in the countryside, animal husbandry and welfare. One of the very first cases I did concerned an RSPCA prosecution against a pair of rabbit breeders. It was a bitterly hard-fought case and made me realise, for the first time, how partisan such cases can so frequently become. But I am not sure that they always have to be, in fact. Anyway, as is so often the case at the Bar, it was not so much me choosing Animal Law as it choosing me.

How did you get into Animal Law?

After that first case, I started to act in a number of animal welfare prosecutions.



Sean Brunton QC

Eventually, I started to be instructed by the RSPCA, DEFRA and other local authorities and regulatory bodies to do with farming, fishing, field-sports and the food processing industry.

However, which cases actually turn-up is largely unpredictable. Most recently I have been instructed in a Prosecution against a large scale and illegal importation business trading in rare and endangered animal parts. Dealing with International Treaties and European Convention legislation on the classification of endangered animals and its international enforcement. It was quite fascinating, yet tragic.

How much of your practice is Animal Law?

I suppose about 30-40% of my work is now either regulatory or to do with farming, animal husbandry and welfare. However, having only taken Silk in February, things could change!

What is the rest of your practice?

I have had 25 years appearing in the Crown Court for both the Prosecution and Defence. In recent years, this has mostly consisted of Serious Organised Crime (such as Drug Conspiracies), serious sexual offences (such as rape and historic child abuse) and Homicide. That still makes up the bulk of my Court work.

How is your day at work spent?

Like many Barristers, I like to do my work early in the morning. During the normal working week, the Court day can be so unpredictable, so the hours between about 6 and 8 a.m. can be an invaluable time to get yourself 'up to speed' for the day. As are the hours of about 9-11 at night. Then there are the weekends of course...!

There is no typical day at work. It might be a day spent on my feet all day addressing a jury in a complicated trial. It may be a day spent cross-examining an expert witness. It may be a day spent hanging around outside court, waiting to get on like everybody else. Or it may be a day at home, just reading through pages and trying to get a handle on the case under consideration. Sometimes, there is no substitute to just sitting down and reading.

What animal welfare cases are you most proud of?

Animal welfare cases are always hard-fought. Farmers and others involved in the livestock business do not like being accused of neglect or cruelty or bad animal husbandry, no matter how apparently overwhelming the evidence. They will often bury their heads in the sand or defend these cases vigorously. Often, they employ teams of experts, solicitors and even barristers who make a business out of defending 'these types of cases' and do so in a pretty unscrupulous fashion. I have been against certain members of the Bar who have made cases which should have been over in a week, last two weeks or more. Who have made professional witnesses cry in the witness box, due to the bullying nature of their questioning. And who have reduced Judges virtually to the point of a nervous breakdown. But, as yet, these tactics have never actually worked and invariably end up in the 'keeper' of the animals being convicted. All that is really achieved is that the trial process is rendered very hostile and the Court costs are massively inflated. It is a shame the Defendant is not forewarned of these likely consequences before the case starts.

Do you enjoy the work?

I am not sure if 'enjoy' is the right word. They

are challenging. They are worth-while. They are interesting. But they are also quite stressful, confrontational and jolly hard work.

How can a new lawyer steer their practice towards this area?

There are various professional bodies that have an interest in work related to farming, field-sports, animals and wildlife, such as this one! There is no substitute to turning up to meetings and actually speaking to people involved in that area. But, as we all know, speaking to your clerks and trying to persuade them to steer any work of that nature into your pigeon hole and not into anybody else's is the old-fashioned way of doing it.

What tips would you give to students who want to practice in this area?

Solicitors and clients who want to instruct counsel in these types of cases expect them to know what they are talking about. They expect them to understand the animals, the veterinary terms, the business, the countryside etc. Read case-law. Research the DEFRA guidance. Understand how the RSPCA works. Getting involved in fieldsports or the countryside or whatever it is that interests you, in a responsible way, is the way to build genuine knowledge, experience and perspective. But ultimately, the areas of law in which you practice is likely to be a mixture of chance, luck and choice.



You can read more interviews with animal lawyers and animal law experts on our website.

ANIMAL RIGHTS AND LEGAL PROTECTIONS: A PERSPECTIVE FROM NORTH AMERICA



On 20 July 2018, A-Law hosted an evening with Steven M. Wise and Camille Labchuck (pictured) at Goldsmith Chambers, followed by Q & A and informal discussion over drinks.

Camille Labchuck, lawyer and executive director of Animal Justice, opened up the evening by providing a riveting insight into current issues in Canada, wider hot topics and future challenges. Areas of discussion included specific litigation approaches and developments surrounding poor conditions for farmed animals and wild animals in captivity.

Camille was followed by Steven M. Wise, founder and president of the Nonhuman Rights Project (NhRP), a non profit seeking to secure personhood for nonhuman animals. Steven delivered a fascinating presentation about NhRP's litigation developments in the USA, achievements to date, increasing research projects across the globe, and the road ahead.

Both presentations instigated a lively discussion. The evening was attended by students, lawyers and professionals from NGOs, and provided an invaluable opportunity to discuss international animal protection law.