

24th February, 1986.

A.G. -v- John Philip Savage

DEPUTY BAILIFF: The charge alleges allowing animals or poultry to have access to unboiled, waste foods. In the course of the trial, after the undisputed evidence of the official analyst, the appellant admitted that waste foods in his trench or pit were unboiled. Thereafter the Magistrate heard overwhelming evidence that animals and poultry had had access to such waste foods and photograph 3 clearly shows such foods, outside as well as inside the trench. In the circumstances the appeal must fail. We have listened to the procedural complaints, although we are inclined to be sympathetic to the appellant, in his initial complaint that he was unable to obtain an adjournment, we consider that, on balance, having regard to the delay given before the defence was heard, that he was not prejudiced in his defence. The appeal against conviction is dismissed. The appellant has admitted that the fine, three-quarters of the maximum fixed by the legislature as long ago as 1956 and now very much out of date, was not manifestly excessive. The appeal against sentence therefore, is also dismissed also.