

Summary Report of the RSPCA Prosecution Oversight Panel

Case Review Meeting of 4th September 2017

A total of 27 cases were provided to the Prosecution Oversight Panel (POP) members in advance of the meeting held on 4th September 2017. Following the POP's pre-review procedure, 10 cases were selected by the POP for review at the meeting. The cases selected for review comprised: 1 acquittal after trial (which received adverse publicity); 3 convicted after trial (one of which received adverse publicity and involved Grade 4 counsel); 4 no proceedings; 1 guilty plea; and 1 Adult Written Caution.

On the whole, the POP considered that the prosecution decisions made in the cases reviewed were generally fair and appropriate and were based on a correct application of the CPS Code for Crown Prosecutors test, including the evidential stage and public interest stage. The POP did not identify any examples of lack of transparency or lack of independence in the cases reviewed. The POP identified a number of examples of good practice in the cases reviewed, including inclusion of potential defences in Decision Advice (DA) reports, addressing investigation deficiencies internally in a transparent manner and taking a balanced approach to prosecution decision-making.

The POP did identify an instance of an apparent inconsistency in prosecution decision-making and certain shortcomings in the process and quality of investigations and DA reports. It was noted that certain internal training programmes are being conducted to improve the quality of investigations and investigation reports. In addition, it is expected that consistency of the quality of the DA reports will improve as a result of the introduction of the new Prosecution Policy in June 2017.