

# Summary Report of the RSPCA Prosecution Oversight Panel (POP) Meeting of 12 May 2021

## General Matters

Hayley Firman (Head of Prosecutions) gave an update on activity since the previous meeting. Of particular note was publication of the new 2021-2030 RSPCA Strategy which includes the proposal to explore a transfer of the prosecutions role from the RSPCA to the CPS. The Animal Welfare (Sentencing) Act 2021 and Section 20 of the Animal Welfare Act were also discussed.

The panel met with John Kerslake (Chief Operating Officer and Deputy CEO), Caroline Waters (Chair of the Animal Welfare Sub-Committee) and Jo Goring (L&D manager). Discussions covered the animal journey and future working of the RSPCA, the comments and recommendations of the panel, and training, both for new staff and inspectorate refresher training.

## Case Review

A total of 21 cases were provided to the panel prior to the meeting, of which 10 were selected for review: 5 no proceedings, 2 Adult Written Cautions, 3 convictions. The panel also reviewed a complex case and 2 complaints made by members of the public.

The panel observed that from the cases reviewed, the quality of the prosecution decision making and execution of prosecutions did not appear to be as consistent as previously. This is of concern; it was questioned whether the impact of COVID restrictions was a factor.

Areas of excellence in this case review included: (i) Positive conviction outcomes with more complex cases; (ii) Use of Section 20 of the Animal Welfare Act to address the welfare needs of animals given the challenges of case progression due to COVID; (iii) Positive examples of use of tables setting out details of all animals involved in a case (ages, condition); (iv) Excellence in use of a clear and supporting vet statement with regards suffering.

There remain areas for improvement: the use of emotive, subjective language in some reports, which has been noted on previous occasions; the use of excerpts of evidence rather than highlighting the pertinent information. The panel was concerned that in some cases there is still confusion for owners whose animals have been seized to obtain updates regarding their animals.

The panel repeated its ongoing concern with regards the lack of sufficient refresher training to the Inspectorate and the Prosecutions team. This was highlighted by the panel identifying

challenges in a greater number of cases than at previous meetings.