

Prosecutions Oversight Panel (POP) Meeting

20 February 2017

The POP considered a number of case files which were sent to us in advance for review. We then considered and discussed a portion of those over the period of the day ensuring that we looked at cases across a number of different categories and with differing outcomes. In particular, we considered three cases where there had been complaints. Generally, we were able to follow the rationale for the decision making from a read of the decision advice and we were able to understand the Code Test decisions made. It did not appear to us that any of the decisions made were wholly unreasonable or that there was inconsistency in the application of the Code Test or the decision making.

The content and quality of the decision advices varied however it appeared that the more recent ones were more comprehensive and consistent. There is a template and guidance in existence and we have offered some advice on how that might be improved further not only to provide more clarity to the reader but also to support the quality, transparency and consistency of the review process itself.

All three of the cases where there were complaints related to individuals who had been previously cautioned or where there had been previous RSPCA support provided to the defendant. This demonstrated to us that the RSPCA had tried to assist and educate or had taken a previously, and wholly appropriate, more lenient approach before taking action to prosecute for reoffending.