

Summary Report of the RSPCA Prosecution Oversight Panel (POP) Meeting of 24 November 2021

General Matters

Hayley Firman (Head of Prosecutions) gave an update on casework activity since the previous meeting. The Panel was further briefed on the proposal to transfer the Prosecutions role from the RSPCA to the CPS and given an update on the refresher training programme now underway for the Inspectorate. The Panel was pleased to note the publication of the leaflet outlining individual's rights and RSPCA contact details when animals are seized during the investigation process.

The panel met with Grainne Casey, Head of the Special Operations Unit, for a briefing on the process and challenges of using surveillance techniques.

Case Review

A total of 20 cases were provided to the panel prior to the meeting, of which nine were selected for review: two no proceedings, four cautions, three convictions. The panel also reviewed a complex case and three complaints made by an MP and two members of the public.

The panel observed that, from the cases reviewed, there was an overall improvement in the quality of the reports and prosecution decision making process from those cases considered at the previous Panel meeting.

Areas of excellence in this case review included: (i) Positive conviction outcomes for a complex case of breach of disqualification orders (ii) Use of surveillance procedures to support a positive prosecution outcome (iii) Investigation of a case involving ear cropping and tail docking of dog outside the UK progressed through to an appropriate outcome (iv) Use of the new Preface Form in one case with the expectation these will now appear in the majority of cases reviewed in future.

There remain areas for improvement: (i) the use of emotive, subjective language in some reports, which has been noted on previous occasions (ii) the limited use of the new Preface and Decision Advice forms previously agreed by the Society; (iii) consistency in the use of cautions as an alternative to prosecution where evidential and public interest tests are met.