

# Summary Report of the RSPCA Prosecution Oversight Panel Meeting of 3 December

## General Matters

The panel considered and approved the notes of the 23 July 2020 meeting.

Hayley Firman (Head of Prosecutions) provided an update on the developments of the past half-year, in particular the impact of the Coronavirus pandemic on investigations and prosecutions. The panel noted the extremely challenging conditions and the unavoidable delay to court proceedings.

The panel met with Chris Sherwood (CEO) and Caroline Walters (Chair of the Animal Welfare Sub-Committee). The meeting covered three topics: **(1)** a training update; **(2)** the role of the panel's reports in the governance structure of the society; and **(3)** the Society's strategy for 2021 and beyond. The panel's session with Mr Sherwood and Ms Walters was open and productive.

## Case Review

The cases selected for review comprised: seven where no proceedings were brought; one Caution; and two prosecutions. In addition, the Panel reviewed a complaint made by a member of the public regarding the decision of the RSPCA not to prosecute and a case of interest involving the use of audio recordings as evidence.

Overall, the quality of the prosecution decision-making and files continues to be of a high standard. However, the quality of the Decision Advice and Inspectorate reports remains inconsistent, although it was noted that the new Decision Advice form should now help to improve this position.

The panel identified an area of particular good practice in the increased use of s20 *Animal Welfare Act 2006* powers to address the welfare needs of animals. In addition, the reviewed cases included matters where there has been a developed approach to the use of experts to inform decision making and as evidence in prosecutions.

There remain areas for improvement; in particular the inappropriate use of colloquialism and subjective language in reports. The use of overly-emotive, subjective, language has been raised as an area of development in the past two reports and it is regrettable that this panel has been required to address it for a third consecutive time. A further area of improvement may be found in the need for the panel to once again note their concerns about the lack of sufficient training for the inspectorate and prosecutions department, which the panel understands is due to insufficient financial resources.

The panel encourages further work on the application of the *Coronavirus: Interim Case Review Guidance* and alternatives to prosecution as a way of ensuring proportionality and preserving capacity so that prosecutions may continue to be brought in appropriate cases.

**RSPCA Prosecution Oversight Panel**

**January 2021**