

PROSECUTIONS
ANNUAL REPORT 2018



Paul Draycott

RSPCA Chair of Trustees

As the RSPCA rapidly approaches the 200th anniversary of its formation, it remains obvious that the welfare of animals still needs to be protected and the RSPCA's objectives – to promote kindness and prevent cruelty to animals – are still relevant in the modern era. Much of the RSPCA's frontline animal welfare work is conducted by the Inspectorate, which is committed to improving the welfare of animals. The prosecution of animal welfare offences remains a small but important part of RSPCA activity and the Society remains the primary prosecutor of such offences in England and Wales.

It is a matter of considerable regret that in this day and age cruelty to animals shows little sign of diminishing. In fact, the number of cases detected by the RSPCA shows that the deliberate infliction of suffering upon animals, including wildlife crime, remains prevalent and the unlawful trading in puppies for financial gain is a growing trend.

Despite the challenges brought by investigating these types of cases the RSPCA is still successful in detecting crime and bringing offenders to justice. In this area of work the Society is greatly assisted by partner agencies, particularly the police, who are afforded statutory powers that RSPCA inspectors do not have.

It must be stressed that prosecution amounts to a small but significant part of the RSPCA's work. Wherever possible it is the Society's intention to prevent cruelty rather than prosecute and the RSPCA is very successful in fulfilling that aim. Inspectors are skilled at improving an animal's welfare by educating and dispensing advice and guidance.

This report highlights exactly why the RSPCA continues to be effective in this area of work both for the public benefit and, importantly, for the benefit of the animals that continue to be so cruelly treated.

Headline prosecution statistics 2018

All figures relate to England and Wales

	2018	2017	2016
Defendants convicted (juvenile offenders)	747(15)	696(8)	744(5)
Prosecution success rate ¹	92.5%	91.2%	92.5%
Defendants with all offences dismissed after trial	12	20	16
Prison sentences imposed on individuals ²	66	42	58
Suspended prison sentences imposed on individuals ²	159	179	148
Disqualification orders imposed on individuals under the Animal Welfare Act 2006 ³	651	602	628
Convictions secured in the magistrates' court (juvenile offenders)	1,678(20)	1,492(25)	1,477(7)

1 Total defendants convicted as a percentage of all defendants.

2 One offender may have more than one sentence imposed.

3 A disqualification order can be imposed as a penalty in its own right, or it can be additional to any other penalty imposed.

Cover: Nellie when found (see pages 4–5) and (back cover) given a second chance for a happy life by the RSPCA.



Hayley Firman

Head of RSPCA Prosecutions

I am pleased to present the *Prosecutions Annual Report* for 2018, which highlights some of the varied enforcement work we have been involved in over the past year.

I am immensely proud of the RSPCA inspectors who work tirelessly to deliver the RSPCA's mission in their communities, making them places where people are kinder to animals. I am also hugely grateful to the prosecution team and our legal providers, who work together to bring to justice those people who neglect animals and commit the worst kinds of cruelty.

Most notably, 2018 has been a year of 'firsts'. We have seen sentences in a case involving puppy selling and conspiracy to defraud being appealed by the Solicitor General to the Court of Appeal for being unduly lenient. The Court agreed, and all the defendants' sentences were increased to a total of 21 years and nine months' imprisonment between them*. In another first, we successfully prosecuted a man in the Crown Court for offences contrary to the Sexual Offences Act 2003.

Our independent oversight panel met and reviewed our case work and I am pleased that overall they considered our review and decision making to be sound and justified. We will continue to adopt their recommendations in order to continuously improve the work we do.

During the year we have been committed to preventing and tackling the root causes of animal cruelty and have continued to support our adult intervention programme, which relates to convicted adult offenders. You can read more about this programme in this report, as well as more about our intervention work and the Generation Kind project, which aims to educate young people about animal welfare and promote kindness.

I thank everyone who is involved in supporting our work – from the vets who treat animals; our animal centre staff who care and rehabilitate them; to our Inspectorate for its intervention and my team for their commitment to animal welfare enforcement and prevention. Without the commitment of all these people none of the results achieved in 2018 would have been possible.

Our aim continues to be to improve animal welfare, making a difference and bringing about change to those who treat animals unkindly. I hope you will agree that the work we have presented in this report demonstrates how we are achieving this aim.

*Subject to appeal.

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Cover story – puppy breeding



BEFORE



Forced to breed in filthy pens

A man who bred puppies to sell to the public showed “blatant” disregard for their welfare when more than 70 dogs – including bulldogs, pugs, Labradoodles, poodles and golden retrievers – were found to be neglected.

Thick layers of faeces

The puppies, born into filthy conditions, were not microchipped or vaccinated and were being sold without a breeder’s licence.

When the RSPCA inspector arrived she was confronted with the terrible conditions in which the dogs were being forced to live. The filthy pens were cold and damp, there was no heating or bedding, there were tubs of dry food but no access to water. The stone floors were sodden with thick layers of urine and faeces – there was no ventilation, so the smell was “atrocious”.

Nellie, a yellow Labrador, was found lying on a thick layer of wet faeces with her 10 newborn puppies, one of which had died. Another pen housed a terrier puppy who was shaking, clearly terrified; eight poodle and retriever-type dogs were in another pen in similar conditions; a bulldog was found in a metal cage with exposed wire rods sticking out; and another cage contained several small-breed dogs.

A police officer gave the dogs some water from a hosepipe – they were so thirsty they fought for it, huddling around the bucket. The RSPCA inspector said it was heartbreaking to watch – it was clear they had been without water for some time.

The vet who attended had visited the property earlier in the year on behalf of the local council to inspect for a breeding licence, and had issued a copy of the licence conditions so the breeder knew the standards he had to meet. The vet was now appalled by how conditions had deteriorated, calling them among the “filthiest” and “most chaotic” in which he had ever seen dogs kept.

Seized by police

One of the golden retrievers and a Newfoundland-type dog were taken into possession by the police and were suffering from severe ear infections. These, along with a poodle-type dog, had matted, filthy coats. The golden retriever gave birth to a litter of puppies shortly after arriving in RSPCA care. Nellie and her puppies were also removed.

Due to the number of animals at the property some were left with the owner – who was given multiple warnings and advice notices to not only improve the animals’ environment, but also ensure any health issues were treated, particularly skin and eye conditions.

Sadly, the RSPCA continued to receive complaints regarding sick puppies at the property, and months later the man was again advertising puppies online for sale. By this time he had been interviewed and summonsed to attend court, therefore a warrant was executed and another group of neglected animals was removed.

In sentencing, the Chair of the Bench said:



It was heartbreaking to watch – they had been without water for some time.



“Your actions were deliberate and blatant and had gone on for some time. There was a commercial element – puppy farming.”

All the dogs seized during the course of the two separate investigations were signed over to the RSPCA so they could be rehomed, including Nellie, who has now found her forever home.

Completely transformed: Nellie (far left) in dire conditions when found and (right) now fully fit and happily rehomed.

OFFENCES:

Animal Welfare Act 2006 s4 and s9

PLEA:

Guilty

CONVICTIONS:

Five

SENTENCE:

Disqualified from keeping dogs for life*; 12 weeks' imprisonment, suspended for 12 months; 150 hours' unpaid work; £3,758.44 costs.

* Throughout this report, unless otherwise indicated, *disqualified from keeping animals* includes owning animals, keeping animals, participating in the keeping of animals and being party to an arrangement under which the person is entitled to control or influence the way in which animals are kept, in accordance with the provisions of the Animal Welfare Act 2006.



People in positions of trust

Vet kept dogs in ‘dungeon’

It is always shocking when professionals who hold positions of authority neglect their duties towards their own animals, as the cases on the following three pages demonstrate.

In this case, a veterinary surgeon and veterinary assistant imprisoned dogs in a filthy cellar at the surgery where they worked.

Police found the dogs in cages in a ‘makeshift dungeon’ after lifting a piece of carpet and revealing a trapdoor inside the veterinary practice. Upon discovering the animals, police arrested the pair and called the RSPCA for assistance.

An RSPCA inspector attended the surgery, which had the reputation of offering low-cost treatment. As she entered she noted an unpleasant smell – everything looked

unkempt and dirty. She noticed what appeared to be operating instruments laid on a soiled towel on a table.

Basement prison

Police showed the inspector the trapdoor, which led to a very steep, ramshackle wooden staircase down into a cellar. As she descended the smell of ammonia and faeces hit her and she could hear howling.

Inside the cellar the light was very dim. It was small, and contained pens made of wood and wire mesh with dogs inside. One had 11 young husky-type dogs with a thin covering of sawdust on the floor, soaked in urine and faeces. Before the police found them, the dogs had been without access to water. The inspector was shocked by how severely underweight they were – each one she touched had bones protruding.

The flat above the surgery where the pair lived was extremely dirty, with belongings strewn around. The floor of one room was particularly filthy, covered in urine and faeces. There were four young husky-type puppies hunched together under a table, with bloated bellies and dirty coats. Again, there was no water available.

In total, more than 20 dogs and eight cats were removed.

Lies and excuses

When interviewed, the vet denied owning any of the animals and insisted they all belonged to the assistant. However, it was established that he was indeed responsible for them. The

assistant claimed the poor condition of the animals was down to a bad batch of raw food she had fed them.

The pair pleaded not guilty so a trial proceeded. The vet maintained throughout proceedings that he had no responsibility for the animals. However, both were found guilty.

The RSPCA inspector leading the case said: “My six years’ experience had not prepared me for what I found at this address. I will never be able to understand how two people who are employed to care for animals could keep so many in such horrendous conditions.”

Many of the animals have since been rehomed through RSPCA animal centres.

The vet was removed from the register of veterinary surgeons.



Professional misconduct: (left) Eleven dogs were found in the gloomy cellar and (right) Tundra, recovered and rehomed.

OFFENCES:

Animal Welfare Act 2006 s4 and s9

PLEAS:

Not guilty

CONVICTIONS:

10

SENTENCES:

Both disqualified from keeping all animals for life; 12 weeks’ imprisonment each, suspended for 12 months; 150 hours’ unpaid work. Vet ordered to pay £200 fine; £500 costs. Assistant ordered to undertake 15 days’ specified activities; £250 costs.

On appeal, disqualifications reduced to three years; vet ordered to pay an additional £500 costs; assistant an additional £250 costs.

AFTER



Husky-cross Tundra has been successfully rehomed.





BEFORE



Magistrate allows own two dogs to suffer

A magistrate who had herself presided over RSPCA cases was convicted, along with her daughter, of causing unnecessary suffering to two West Highland terriers. She had been a magistrate for more than 30 years and had said that she didn't like animal neglect.

Opted to self diagnose

Penny and Pip were found to be suffering from a severe skin disease. They had been owned by the mother and daughter since they were puppies and Penny had developed skin issues when very young. She had been taken to a vet, where she had tests and was given treatment. However, in the owners' opinion, the veterinary treatment did not work and they did not take her back, electing instead to self diagnose and self treat, leaving Penny's condition to worsen for two years.

The investigating RSPCA inspector was shocked by the severity of the dogs' fur loss, skin conditions and smell. They had rubbed and scratched themselves to the point of causing bleeding.

Both dogs appeared much older than they were. Penny was wearing a grubby, strong-smelling baby jumper, which had been put on her in an attempt to stop her skin from bleeding. Pip had never seen a vet.

The inspector took the dogs to a vet, who found they both had 'lichenified' skin. Pip shook her head and scratched throughout the examination and gnawed at her legs and body. As the baby jumper was gently removed from Penny it became apparent it was actually stuck to her. Her ear canals had a crusty discharge and her skin was likened to elephant hide.

Blood and skin samples were taken which showed Penny was allergic to house dust mites and Pip to certain foodstuffs. Both dogs also had secondary bacterial infections. The vet concluded both dogs had suffered for many months due to long-term skin inflammation and irritation. They remained at the veterinary surgery to receive treatment.

Marked improvement

Two weeks later both dogs had improved markedly. Some hair had started to grow back and they were no longer scratching or shaking their heads.

One defendant would not accept the dogs had suffered, saying they were the "most looked-after dogs there are". She accepted she was responsible for not meeting their needs but did not accept she was responsible for any suffering. The second defendant refused to be interviewed.

The inspector said: "The severity of the skin conditions and fur loss suffered by these dogs was the worst I've seen in my 15-year career. They were in an absolutely shocking state. This is despite both dogs

having insurance that could have covered the treatment.

"I hope the message that comes from this case is: if your pet has any health problems, you must not rely on the internet and try to treat your pet yourself, but seek the professional and qualified advice and treatment of a vet instead. If money is an issue, there are vets out there for those on a low income."

Penny and Pip found their forever home and were rehomed together.

Abdication of responsibility: The owner did not accept that Penny (top left) and Pip (top right) had suffered.

OFFENCES:

Animal Welfare Act 2006 s4

PLEAS:

Not guilty

CONVICTIONS:

Four

SENTENCES:

Both disqualified from keeping dogs for five years, 200 hours' unpaid work each; £500 costs each.



AFTER

The plight of exotic animals



Marmoset exposed to cannabis smoke

A young common marmoset was found being kept in a small cage, fed an unsuitable diet and exposed to intoxication from the cannabis that was frequently smoked in the room.

Lack of enrichment

When first seen by the RSPCA the marmoset, called Marshall, was scrawny and lacked muscle tone. His cage was clean but there was no water available. The cage also lacked enrichment, with nothing to occupy Marshall's time or allow him to express his natural behaviour, such as wooden perches or climbing frames so he could climb, run or leap. The only objects in the cage were a hanging pillow cover, a piece of string, a plastic dog toy and a fluffy bag covered in faeces.

There was a UV light, however the cables were within Marshall's reach and therefore a hazard. Ultraviolet lighting, to try to prevent the risk of metabolic bone disease (rickets in humans), does not negate the need for an outside enclosure to provide exposure to natural light, or the need for a suitable diet.

Forensic tests

A vet certified that Marshall was likely to suffer if his circumstances did not change and police seized him. He was taken to a veterinary practice for health checks. A forensic examination on a sample of Marshall's hair gave a positive result for cannabis.

When interviewed, the owner said he had bought the marmoset online because he thought the animal was unusual.

The investigating RSPCA inspector said: "Marshall was being kept indoors in a chinchilla cage, which is completely inappropriate for a marmoset. Thankfully, Marshall is now out of that environment and being cared for by primate experts. Now the court has made a deprivation order for him to be in RSPCA care we will find him a suitable home at a specialist centre."

Behind bars: The chinchilla cage in which Marshall was confined.

OFFENCES:

Animal Welfare Act 2006 s9

PLEA:

Guilty

CONVICTIONS:

Two

SENTENCE:

Disqualified from keeping all animals for five years; £80 fine; £1,000 compensation order to the RSPCA; £300 costs.

AFTER



Oscar was restored to full health and has been happily rehomed.



Creature comforts: A contented-looking Oscar, showing his six-toed paws; a far cry from his former existence (top right).

The work of RSPCA inspectors

RSPCA inspectors never know what their next callout may entail. The following two cases involved large numbers of animals confined in appalling environments – demonstrating the filthy conditions in which RSPCA inspectors are sometimes forced to work in order to rescue those animals that can be saved.



Cats crammed into squalid flat

When the inspector first entered this top-floor flat, the smell of ammonia was overpowering. The carpet was covered with faeces and there were urine stains up the walls. Windowledge areas were smeared with cat faeces and the walls and doorframes showed extensive scratch damage.

Under huge stress

There were so many cats in the flat it was difficult to count them, but there were at least 40. None were neutered and some were even seen mating. There was a mixture of breeds – Persian, Manx, rex-types and domestic short- and long-haired cats.

A vet arrived, who confirmed the cats were under huge stress, which would have affected their immunity to disease.

The man and woman responsible for the cats signed them over to the RSPCA and they were taken to a veterinary surgery to be examined.

Infection and disease

Many of the cats had untreated medical conditions: 13 had dental issues requiring extractions and antibiotics; 16 had matting to their coats so severe it needed removing under anaesthetic; 10 had eye infections and required antibiotics, including one with a corneal ulcer who needed to have the eye removed. Thirty-five had ear problems and several of the cats were completely unhandleable, showing they were unused to human contact. All were infested with fleas.

In interview, the woman admitted responsibility and ownership for all the cats. She did not believe she had done anything wrong, the situation had just “got out of hand”. She said the flat had turned into a “rescue centre”, but they had no money for veterinary treatment.

The man said he had been taking care of the cats while the woman was unable to climb the stairs following an accident. He thought the cats were “happy”, and there was nothing wrong with the way they were living.

In sentencing, the Chair of the Bench said: “Over a prolonged period you caused considerable ill-treatment and neglect to the cats resulting in death and serious injury – including 40 cats needing serious medical treatment.”

The surviving cats made a full recovery in RSPCA care and have been rehomed, including Oscar, who has the genetic abnormality polydactyly, meaning he has six toes on each forepaw instead of five.

OFFENCES:

Animal Welfare Act 2006 s4 and s9

PLEAS:

Guilty

CONVICTIONS:

Man: two; woman: three

SENTENCES:

Both disqualified from keeping all animals for life; £300 costs. Man: 12 weeks’ imprisonment, suspended for 18 months. Woman: 18 weeks’ imprisonment suspended for 18 months.

Smallholding strewn with dead animals



Decomposing animal remains

The plight of a huge number of different types of animal came to light after pigs escaped from a smallholding and the police officer returning them noticed dead and thin dogs.

The RSPCA inspector who attended discovered a tragic scene. More than 175 animals, including dogs, pigs, goats, rabbits, poultry and a cat were lying dead in and around the smallholding's ramshackle barn, outbuildings and paddocks. Twenty-five animals were found alive, existing in squalid conditions among the decomposing remains.

State of chaos

Inside the barn the RSPCA inspector found a state of disarray. Rubbish was strewn on the floor including bags, food items, empty cans, plastic and pieces of wood (left). There was a lot of animal excrement of various kinds. At the bottom of the barn were makeshift dog pens made of wood and wire, containing live and dead dogs, mostly collies.

The inspector said: "You couldn't tell what the animals were as some were just piles of feathers or bones. Most were in such an advanced state of decomposition it was impossible to establish how they had died."

"There were dead animals everywhere and no sound other than dogs barking. Everyone involved was overwhelmed by what they saw that day, and the following days."

An office inside the barn contained a stack of cages full of poultry – all dead apart from one chicken found standing on the feathers and bones of dead ones, which were too numerous to count.

On hearing whimpering coming from the back garden, the inspector spotted a wooden kennel-type box. Inside she found six black-and-white puppies, just a few days old, huddled together on a thin nest of straw. The puppies' mother was friendly, but in poor condition.

A dead black pig was hidden in a wooden shed, partially covered with paper and plastic feed bags, head in a bucket of rat poison. On careful inspection of the door, the inspector believed the owner had actually nailed it shut and placed a breeze block at the bottom, locking the pig inside to die.

Further down the paddock a live black pig was found in a dilapidated sty and a brown-and-white goat was found in a field, along with the bones of more dead animals.





AFTER

Trays of dog and cat food were stacked up all over the farm – 300–400 cans in the inspector's estimation – yet the live animals were all very thin and in poor condition. Heartbreakingly, there were crates of food just steps away from the starving dogs.

In interview, the woman accepted she had not met the needs of the animals in her care. She admitted the dead dogs could have died from starvation and dehydration and she believed the chickens in the barn died of exposure. She was oblivious to any of the responsibilities expected of her legally and had no regard for the health and welfare of any staff working at her premises.

Fresh starts: Among the animals happily rehomed were the puppy (top left), now called Elsa (right), and the black pig (bottom left) now renamed Scratchings (above).

OFFENCES:

Animal Welfare Act 2006 s4 and s9

PLEAS:

Guilty

CONVICTIONS:

Five

SENTENCE:

Disqualified from keeping all animals for life; 18-month mental health treatment requirement; 30-day rehabilitation requirement; £250 costs.



BEFORE

Equine neglect



Ponies left to starve despite warnings

A couple who ran a smallholding where ponies were kept in squalid conditions had been given repeated advice and warnings from the RSPCA and their own vet about the care of their ponies.

Local RSPCA inspectors had had numerous prior dealings with the pair over a five-year period. The local Trading Standards and Animal Health authorities were also conducting investigations.

When an RSPCA inspector attended on a follow-up visit she found eight ponies that were underweight and not having their needs met. The animals did not have access to food or water and one, a bay mare, was lame in the left foreleg.

Advice repeatedly ignored

The couple's own vet was due to visit later that day, so the inspector issued a warning notice and advised them they needed to improve their ponies' body conditions through proper feeding and worming. They both said they understood.

Further advice was issued on the next follow-up visit, when the ponies were found to be still in poor condition. The couple's vet confirmed they had been given detailed written advice on feeding, worming and rugging. Two months later the inspector found the ponies had deteriorated and the vet had still not been called out or consulted again. She returned, along with a vet.

They were met by the man and shown into a barn, where conditions were dirty and the floor deep in faeces. A bay filly foal was found in a collapsed state – emaciated and unable to rise. Her coat was matted and dirty, as if she had been lying in the dirt for some time. She was unable to support her own weight and had no pain reflex in her hind legs. The vet recommended she be put to sleep on welfare grounds.

Three very thin ponies were also being stabled in the barn and others were outside in a field. The stabled ponies had access to hay but there was no hay or haylage in the fields. None of the ponies had rugs.

The vet certified all eight ponies were suffering and needed to be removed to a place of safety.

When interviewed, the man said his knowledge of caring for ponies was "crap". He admitted he should have sought immediate

OFFENCES:

Animal Welfare Act 2006 s4 and s9

PLEAS:

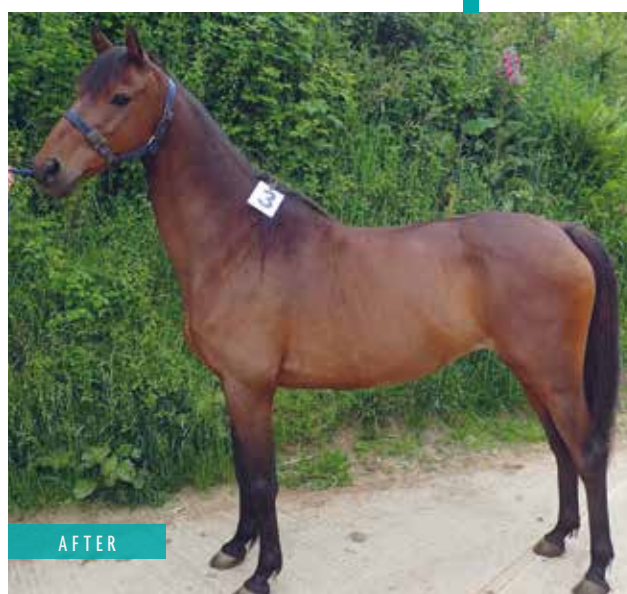
Guilty

CONVICTIONS:

Eight

SENTENCES:

Both disqualified from keeping all animals for 10 years. Woman: 17 weeks' imprisonment for each offence, suspended for 12 months. Man: 12 weeks' imprisonment for each offence, suspended for 12 months. 180 hours' unpaid work each; £120 costs each.



Saved from slow starvation: The ponies had insufficient food when found (top), but have recovered in RSPCA care and are now ready for rehoming (above).

veterinary advice for the collapsed foal. The woman gave a 'no comment' interview.

The judge said the woman had "shirked responsibility" and put the blame for the animals' state on the man, despite extensive advice having been given to both.

Full transformations

Since their rescue the ponies have undergone stunning transformations as they are prepared for rehoming.

The investigating RSPCA inspector said: "These ponies were some of the thinnest I have ever seen and would not have survived much longer without our intervention.

"However, once in our care, they quickly gained weight just from a routine worming programme and being given an appropriate diet. They have all now made full recoveries and can be found loving new homes."



Video nasty: A still image from the footage captures the moment just before the bird was hit with a full water bottle.

OFFENCE:
Wildlife and Countryside Act 1981

PLEA:
Guilty

CONVICTION:
One

SENTENCE:
£184 fine; £300 costs.

Pigeon attack put on internet

The RSPCA is the only charity that is there for all animals, so when a video clip posted on social media revealed a young man throwing a plastic water bottle at a pigeon in a deliberate, gratuitous attack the decision was made to prosecute.

In the video, voices can be heard laughing in the background with one man saying “go on”. The man misses the pigeon on his first attempt, but the second hits the bird, which was perched on a windowsill. The heavy impact knocks the pigeon to the pavement, leaving the bird flapping frantically, struggling to regain its balance.

The bird finally stands but looks unable to do so normally, sitting back on its legs and appearing to lean backwards and to one side, clearly injured. The group of men are heard to continue laughing as they leave the bird where it fell.

The fate of the bird is unknown, but with such injuries it is highly probable the pigeon would have deteriorated and died.

The footage was uploaded onto social media for a wider circle to watch and comment upon. A conversation thread showed the man and his friends revelling in the attention the clip brought them.

The man only cooperated with the RSPCA investigation when police became involved. When interviewed, he admitted it was one of the stupidest things he had done. He made no attempt to explain it other than being drunk. His remorse did not appear to be genuine.

The man was summonsed for attempting to intentionally kill or injure a wild bird. Mitigation was heard that he was heavily intoxicated and could not remember committing the offence.

“Voices can be heard laughing in the background.”

Animals' horrific ordeals filmed

A man who kept rabbits and guinea pigs in his garden was seen forcibly plucking hair from a guinea pig and, on numerous occasions, slapping rabbits. A witness managed to film some of his behaviour, despite the distressing nature of the abuse.

Disturbing abuse

The witness heard an animal squealing in distress and recorded what followed on her phone. Over and over, the man plucked clumps of hair from a guinea pig, and slapped a rabbit with the flat of his hand while holding it by the neck. Then, he took two rabbits out of a hutch and bit them both twice in the middle of their bodies. He then began bashing them together and swinging them in a circle before dropping them to the ground. Then he strangled one rabbit, killing the animal.

When the RSPCA inspector arrived, clumps of black-and-tan guinea pig fur were found around the outside of the guinea pig hutch. Nine rabbits and four guinea pigs were found living in filthy hutches with little bedding material and no fresh hay.

The animals were taken to a vet for examination. Four of the rabbits were found to have urine and faecal staining to their feet and legs, three had overgrown claws, and a black-and-tan male guinea pig had fur missing along his back consistent with having been plucked.

The investigating RSPCA inspector commented: "This case was particularly distressing due to the fact that the abuse occurred over a number of days – the animals would have endured extreme suffering and fear while in the man's care. The video footage definitely helped the RSPCA in securing the conviction. I am relieved that we were able to remove all the animals as soon as the matter came to light and prevent any further suffering."

New life: The black-and-tan guinea pig with a new companion and (inset) the lighter rabbit also has a new companion.



State of shock

Although the evidence captured on video proved to be vital, the incidents had profoundly disturbed the witness and left her in a state of shock. She described the events as "like something from a horror movie".

The rabbits and guinea pigs now have new owners and animal companions.

OFFENCES:

Animal Welfare Act 2006 s4 and s9

PLEAS:

Guilty to five offences, not guilty to two offences

CONVICTIONS:

Seven

SENTENCE:

Disqualified from keeping all animals for life; 20 weeks' imprisonment, suspended for two years; 16-week curfew order; £500 costs.

AFTER



The importance

There are many cases of animal cruelty the RSPCA would not be able to investigate and prosecute without the help of members of the public who report what they have witnessed. We understand and appreciate the courage it takes for a witness to attend court to support a prosecution.

Dog kicked to death in public

This case involved a 13-year-old who witnessed a savage attack on his grandmother's dog, Freddie, in the street.

The Staffordshire bull terrier had jumped over the wall out of his owner's front garden and pinned down a Yorkshire terrier that was being walked down the road by a 14-year-old youth.

Witnesses described how the youth started punching Freddie's head and kicking him, while another man held the dog down. The youth then shouted for a knife saying he was "going to kill" the dog. One witness managed to separate the dogs, however the youth kicked Freddie again in the head, twice, with huge force. The witnesses described the sound of the impact as "awful".

Freddie was rushed inside a nearby property, but died of his injuries. The youth and man disappeared.

The case proceeded to trial, where it was heard the defendant had lost his temper during the incident. The youth claimed he

only kicked Freddie once, however, the dog had suffered multiple injuries to his head, neck and torso as a result of the attack, including a fractured skull.

The 13-year-old witness, who had been extremely distressed by the incident, gave evidence over a live video link. Four other witnesses also gave live evidence for the RSPCA.



This is a most serious case – you repeatedly kicked and punched the dog.



In sentencing, the District Judge noted the dog was a much loved and important part of his owner's life, telling the youth: "Your actions took him away from her. It has greatly affected her and she was brave to attend court today."

"This is a most serious case – you repeatedly kicked and punched the dog in a sustained attack."

The District Judge acknowledged that the youth had apologised for his behaviour and expressed some remorse and level of understanding for the pain caused to the dog's owner, however, he had used excessive force over a prolonged period. She added that, had he been an adult, he would have been sentenced to 18 weeks' imprisonment.



Photo: Freddie's owner.

OFFENCE:

Animal Welfare Act 2006 s4

PLEA:

Not guilty

CONVICTION:

One

SENTENCE:

Disqualified from keeping all animals for five years; 18-month youth rehabilitation order; 18-month supervision requirement; 20-day Rehabilitation Activity Requirement; 60 hours' reparation; eight-week curfew order; £500 compensation to Freddie's owner.

of witnesses

We are always grateful for the help of these individuals – because it takes all of us to get justice for cruelly treated animals and to transform their lives, wherever possible, to ones of love and kindness.

Sheepdog hung

The RSPCA was called when a number of people witnessed a man killing his dog.

The witnesses saw and heard the man shouting and swearing at his Welsh border collie, Wilson. Then, after the man and dog briefly disappeared from sight, a choking noise was heard.

The witnesses then saw the man hanging Wilson from a branch. He had put a blue nylon rope around the dog's neck and used the weight of the branch to lift the dog into the air.

One witness ran to confront the man, who lowered the dog to the ground, but by this time he appeared to have died. The witness, however, managed to take photographs of Wilson's body.

Shocked witnesses

A confrontation took place and the man drove off, leaving the dog's body behind, which he later returned to collect. The witnesses were very shocked and gave statements to the RSPCA.

In interview, the man said he had shouted and sworn at the dog because he was not doing a good job of rounding up the sheep. He said he lost sight of Wilson for a few seconds and found him two to three metres up a tree. He claimed the dog had a very long piece of rope trailing from his neck, which then got tangled around a branch and Wilson had struggled, causing him to hang himself. He said he had tried to burn through the rope with a lighter and that he later burned the dog's body.

A vet was asked to comment and stated he thought the man's version of events seemed unlikely, saying: "In 22 years of veterinary practice, I have never come across a case of a dog climbing a tree."

The vet concluded the dog would have suffered unnecessarily

OFFENCE:

Animal Welfare Act 2006 s4

PLEA:

Not guilty

CONVICTION:

One

SENTENCE:

Disqualified from keeping dogs and sheep for life; 18 weeks' imprisonment; £750 costs.

for several minutes. Being lifted by a rope around the neck would cause serious injury to the tissues and structures of the throat, causing severe pain.

Also, the lack of oxygen caused by the crushing of the windpipe would have caused profound fear and distress and it would have taken several minutes for him to lose consciousness.

In sentencing, magistrates said it was "one of the clearest acts of cruelty which [the Bench] had ever encountered, for which you have shown no remorse", adding the offence was so serious that only custody could be justified.

The investigating RSPCA inspector said: "This was a highly unusual and disturbing case. Such deliberate cruelty is just too horrific to fathom.

"It must have been extremely distressing for the witnesses and we are very grateful to them for reporting it to us and assisting with our investigations."

A highly unusual and disturbing case. Such deliberate cruelty is just too horrific to fathom.

Transforming the lives of abused animals

RSPCA animal centres, hospitals and branches play a crucial role in working with some of the most abused animals that come into our care. Our staff work tirelessly to nurture them back into happy, confident animals while returning them to full health and fitness.

In some cases, we call on the expertise of animal behaviourists to help with issues that may have developed when animals are forced to endure cruelty – often for prolonged periods. Rehabilitation is key in preparing these animals for rehoming, so they can start the next chapter in their lives.

The cases on the following four pages demonstrate the work done by our branches, hospitals and animal centres.

Dog's throat cut during row

A man sliced a two-year-old Staffordshire bull terrier's throat with a carving knife during an argument with his girlfriend.

It left a deep wound, about 7.5cm long, which was hastily bandaged. The Staffy, called Luna, also had a cut on her right ear that left the tip hanging. Luna was left for at least three days without any veterinary treatment.

One of our inspectors took her to an RSPCA animal hospital for veterinary examination. She was very timid and subdued. The knife had missed a main artery by a millimetre – if this had been cut she would have bled to death.

The vet considered Luna's throat wound was consistent with being deliberately cut with a sharp knife in a precise slicing motion, causing suffering, pain and distress.

Luna's wounds were dressed, she was given pain relief and admitted to the RSPCA animal hospital as a patient. Her neck wound healed without complications and her ear also healed after surgery.

When interviewed, the man denied cutting the dog and claimed her injuries were the result of an accident.

He said he had been washing up with a carving knife in his hand, fallen over while at the kitchen sink, the knife had gone into his knee and, as he pulled it out, it had accidentally caught the dog, who happened to be nearby.

When challenged that his account could not be true given the veterinary evidence, he refused to answer any further questions.

A witness to the attack said it was "horrendous" and Luna had been "petrified". She related how, after the man had cut Luna's neck he had faced her, smirked, and said: "That's it now, I've done it, she'll be out of your way now."

The man was found guilty in his absence, after failing to attend court.

Luna went on to make an excellent recovery and has been successfully rehomed.

The investigating RSPCA officer said: "When Luna first arrived she was depressed and subdued. Staff at the RSPCA centre needed to work hard to get her to where she is today – they spent a lot of time helping her to trust men again by gradually getting her used to being around male members of staff.

"My thanks go to the staff at the RSPCA animal hospital and animal centre for the care they gave her – not only for her incredible recovery, but also in rebuilding her confidence, which resulted in her finding a good home.

"The most important thing now is that she has been given a second chance at life. I'm so pleased that Luna has been adopted into a loving family who absolutely dote on her.

Luna has been adopted into a loving family who absolutely dote on her.

AFTER



BEFORE



OFFENCE:

Animal Welfare Act 2006 s4

PLEA:

Not guilty

CONVICTION:

One

SENTENCE:

Disqualified from keeping all animals for life;
five months' imprisonment.



Terrier left with untreated third-degree burns

A man whose dog was apparently scalded with a hot liquid failed to seek veterinary treatment, allowing her to suffer excruciating pain for at least two weeks.

When an RSPCA inspector knocked on the door the man answered saying he had been “expecting a call” from the RSPCA. Inside, a black-and-tan Lakeland terrier-cross, called Ruby, was found in a horrific state with severe ulcerated scald injuries.

The man, who had owned Ruby since she was a puppy, claimed she had been bitten by a dog a fortnight before. It was apparent, however, that the wounds were more like a burns or scalds and they covered large areas of her body. The man said he wanted to sign Ruby over to the RSPCA.

Terrible pain

The inspector took her to a vet, however, Ruby could not be examined fully as she was in too much pain to be touched. She was given pain relief and bedded down with food and water. The following day she was given a general anaesthetic so the extent of her injuries could be assessed.

Once Ruby was under anaesthetic and her coat had been clipped the severity of her wounds became clear suggesting a hot liquid of some kind had been poured on her from above. Ruby’s wounds were treated and dressed, and she was given antibiotics and anti-inflammatory medication. She was kept heavily sedated for three days as her wounds began to heal.

The vet confirmed Ruby was suffering from extensive skin lesions consistent with severe third-degree burns. The wounds would have been immediately apparent to the dog’s owner and, even if he had not witnessed the event, it would have been obvious she was suffering and required immediate veterinary attention.

A new home

Six weeks later Ruby was transferred to an RSPCA animal centre to continue with her recovery, before finding her new forever home through an RSPCA branch.

The inspector commented: “This case will stay with me forever – the pain Ruby went through was unimaginable. You know how it feels if you get a little burn on your hand, Ruby had that excruciating pain over her entire body and survived all that time without any pain relief. She’s an absolute miracle dog.

“It’s wonderful to see how much she’s loving life now. I’m happy to admit I cried with happiness when I saw her again, and Ruby didn’t stop wagging her tail.”

This case will stay with me forever – the pain Ruby went through was unimaginable.

OFFENCE:

Animal Welfare Act 2006 s4

PLEA:

Guilty

CONVICTION:

One

SENTENCE:

Disqualified from keeping all animals for 10 years; eight weeks’ imprisonment; £150 costs.



Months of agony for Staffy

A very underweight Staffordshire bull terrier, called Chester, was left to suffer with a severe skin condition in which 80 percent of his coat was missing.

Intense itching

Chester was found with a bleeding face and cracked, sore skin. He smelled strongly and large areas of his body were bleeding where he had scratched and nibbled at himself in response to the terrible itching – causing more damage to his skin.

Clear signs of a skin infection covered most of his head and body and he was infested with mites.

On arrival at the vets' Chester was very quiet and subdued. He seemed anxious when approached to be stroked and was confused about walking on a lead – the vet thought it unlikely that he was house trained or used to being on a lead.

The vet believed Chester had been suffering for a minimum of four to five months. Treatment was started and he was transferred to an RSPCA centre to continue his recovery.

When Chester's owner was asked if he could afford vet treatment he said he didn't get much money and had to pay for "phone, rent, clothes and that". He said he used Sudocrem and aqueous cream on the dog's skin and had been putting him in the river on advice from his friends. He admitted he felt bad and had "left it too long". A second person, who also had responsibility for Chester, admitted she thought he was suffering at the end.

"Despicable" cruelty

Magistrates said the man had been "a hair's breadth from 12 weeks in prison", calling his neglect of Chester "a despicable act of cruelty".

Happily Chester made a full recovery. The investigating RSPCA inspector said: "It's lovely to see him now, looking so fit and healthy – he has absolutely transformed from what he was when I first saw him. At that point we didn't even know what colour he was.

"Chester's recovery is a real tribute to everyone at the RSPCA animal centre who worked with him, and now he's got the rest of his life ahead of him."

Full recovery: Chester is now fit and healthy (top left and right), a happy contrast to when he was found (above).

OFFENCES:

Animal Welfare Act 2006 s4 and s9

PLEAS:

Guilty

CONVICTIONS:

Four

SENTENCE:

Both disqualified from keeping all animals for life; 12 weeks' imprisonment, suspended for two years; £300 costs each.

An RSPCA caution

Undertaking a prosecution is not a decision taken lightly by the RSPCA. There are occasions when a prosecution can be avoided, particularly if the welfare of the animals involved can be assured. The following was a case that was resolved without a prosecution following careful consideration and communication with the owners.

Failures at exotic rescue centre

Two well-intentioned proprietors of an exotic animal rescue centre received a caution from the RSPCA after they failed to meet the needs of various animals in their care.

An RSPCA inspector was asked to attend a veterinary surgery after one of the proprietors took an Arctic fox to the vet. The animal was in a collapsed state and had needed to be put to sleep on welfare grounds.

It transpired there were many other exotic animals at the rescue centre so police, RSPCA inspectors and an exotics specialist attended. They discovered 29 animals that were not having their needs met, including a leopard gecko, two berber skinks, a variety of tortoises and snakes, and a red tegu. An eagle owl was found in an enclosure that was too small and two raccoons were found to have fleas.

Simply overwhelmed

In interview, both proprietors accepted ownership and responsibility for the animals. The number of animals they housed and the lack of volunteer help meant they had become overwhelmed. Both accepted wrongdoing and expressed remorse.

The proprietors signed a caution admitting they had failed to meet the needs of multiple animals, including causing unnecessary suffering to a red tegu, sulcata tortoise, common marmoset, genet, sugar glider, albino Burmese python, bosc monitor lizard and a boa constrictor – together with the Arctic fox euthanased at the veterinary surgery.

It was not considered to be in the public interest to prosecute this case and in these particular circumstances the matter could be resolved by way of caution. None of the animals required immediate veterinary attention and they were all relinquished into the care of the RSPCA at the earliest opportunity. Furthermore, there were no grounds for believing the offences would be repeated.



Specialist needs: The raccoons (below, left) and genet (below) were not having their welfare needs met.



No proceedings

Although there was evidence this elderly dog, Boris, had been suffering in his old age, it was concluded that a prosecution would be disproportionate and not in the public interest in this particular case.

At the end of his life

After an allegation of neglect of the 14-year-old Labrador an RSPCA inspector paid a visit to his owner's home. It was immediately obvious Boris was in a poor state. His ribs and pelvic bones were clearly visible and when the elderly dog tried to stand he struggled to use his back legs.

The owner gave the inspector permission to take Boris for a veterinary examination. The vet found he had muscle wastage and sunken eyes, with some teeth missing and others covered in tartar.

Emotional connection

Boris was offered food and water and showed a keen appetite, but was reluctant to stand. He was made comfortable and provided with pain relief and antibiotics. The vet concluded that Boris was suffering due to his oral health, hind limb neurological health and poor body condition. None of these conditions were imminently life threatening, however his welfare was being compromised. Boris's owner, who had had him since he was a puppy, agreed the kindest thing was to put him to sleep.

Boris's owner confirmed he had been aware of his dog's deteriorating health and loss of strength in his back legs. He admitted that Boris had not seen a vet for more than a year, having last been taken by his wife, who had since sadly died.

Boris was the eldest of three dogs within the household – the other two were in normal condition. It was clear the owner's failure to act was due to a reluctance to say goodbye to a much-loved family pet – a common dilemma for many owners particularly, as in this case, when the animal has an emotional connection to a family member who has died.



Failure to act was due to a reluctance to say goodbye.



Wasting away: Elderly Boris had not seen a vet for more than a year.

The Adult Intervention Programme

The RSPCA's pilot Adult Intervention Programme is a new initiative aimed at tackling the root causes of animal cruelty. It is the first time this has been tried with animal welfare offenders in England and Wales.

The pioneering programme, developed by the RSPCA's adult intervention adviser, aims to raise awareness of animal welfare and prevent reoffending. It is designed to teach offenders about the basic needs and feelings of animals and what it means to be a responsible owner, as well as giving them strategies for making better choices and decisions. The RSPCA hopes it will prevent other animals from being hurt or neglected in the future.



Despite adults committing the majority of animal cruelty offences, there is little provision to educate and rehabilitate those who are prosecuted. As seen in this report, offenders often receive punishments such as fines, unpaid work or curfew orders, which can do little to address the issues behind the offending behaviour, let alone educate to prevent a similar situation from occurring.

The Adult Intervention Programme was developed to redress this balance. By offering a tailor made rehabilitation/education programme the aim is to better understand the motivations behind animal cruelty and reduce the risk of reoffending.

The programme is aimed at those offenders who have been prosecuted for cruelty towards animals they had owned. This includes both neglect and deliberate acts of harm, as this group makes up the majority of offences prosecuted by the RSPCA. Currently it does not include those who have committed offences such as hunting, baiting, fighting and crimes against wildlife or animals not owned by them. If the initial programme proves to be successful, it is hoped it will be developed to include these types of offences too.

In order to be eligible, offenders will either need to have



been sentenced to a Community Order with a Rehabilitation Activity Requirement or Post Sentence Supervision as part of a custodial sentence. The programme therefore forms part of their punishment and is not given as an alternative. If offenders fail to attend, there is the option for the offender to be resentenced.

Five Community Rehabilitation Companies have agreed to trial the programme in their area and by the end of 2018, 29 referrals had been received with a 79 percent completion rate.

The programme, written in conjunction with a psychologist and delivered in one-to-one weekly sessions, is split into two modules. The first is education based and focuses on the Animal Welfare Act 2006. It looks at the basic needs of animals and why these are important: sentience – the fact that animals have feelings and what might cause them to suffer; and what it means to be a responsible owner.

The second module looks at thinking and coping skills, in particular emotional recognition and management, decision making and problem solving skills. Participants complete an animal welfare questionnaire at the beginning and end to see if their knowledge has improved on completion of the programme.

FEEDBACK FROM PROBATION SERVICE OFFICERS:

"The programme was excellent, it focuses on their offence and it gets the [offenders] thinking about their decision making."

"I do think it is an extremely valuable programme designed to educate and therefore rehabilitate."

"I have spoken to [the offender] about their experience of the course and they reported they found it extremely beneficial. They spoke of how the work undertaken with the RSPCA made them "search themselves" and "put themselves in the position of their pet". They felt they had learnt a lot from the course and they are also passing on the information to their children who also own pets – especially in terms of what the law is around having an animal and the responsibilities of the owners."

"Overall, I feel it has been a great success. I am confident [the offender] has taken so much from the course and will continue to educate others around them."

FEEDBACK FROM OFFENDERS:

"Overall I would recommend this course to other people, it's a very good learning curve. In my opinion people should have to sit a course like this before buying an animal!"

"It helped me see I can't afford a dog and give it what it needs. It's not about me, but about the animal."

"It taught me the enormity of the responsibility required in owning a pet. I didn't realise animals had so many thoughts and feelings and how akin to humans they are. It's been far better to have had this experience than having a fine or a ban. It's taught me there's a much bigger picture to owning an animal."

"I've learned to do the right thing and look after animals and don't do things on the spur of the moment. It's been very useful and opened my eyes to what can happen. At times it did hit a raw nerve."

"It's given me a better understanding of the Animal Welfare Act. I thought we knew everything that animals needed, but learned there's more than I first thought."

"I think the programme should be longer. I found it a lot more interesting than I originally thought."

"I've definitely learned more about the law and a better understanding of my own situation. It's made me sit back and think about the time, expense and whether I could fulfil the needs of a pet."



Youth intervention

One of the aims of the RSPCA is to prevent cruelty and promote kindness by building a better understanding of animals' needs. The RSPCA understands the need to divert young people away from the criminal justice system wherever possible in order to try and improve their understanding of the impact of animal cruelty: by changing their attitudes and behaviours towards animals; supporting those that require our help; and enforcing the law where appropriate. If a young person is investigated by the RSPCA consideration will be given to referring that individual to their local Youth Offending Team for intervention rather than prosecution by the RSPCA.

The following is an example of the RSPCA referring a young person for intervention rather than prosecution.

Cruelty to a cat

The case involved a young person under 14 who caused deliberate suffering to the family cat, Bertie.

Video footage emerged on social media of the youth throwing Bertie up in the air, forcing him into a somersault motion before being launched forcibly across the room. The footage was seen by classmates, who identified the person in the video.

When an RSPCA inspector visited the youth became emotional, telling the inspector they were sorry. The video was shown to the youth's mother, who gave permission for Bertie to be taken to a vet to be checked over.

The vet found Bertie was in some pain around his spine and had bruising – injuries consistent with those expected to have been sustained by the cat in the video. Bertie was prescribed a week's pain relief and fortunately made a quick recovery.

The offender was interviewed with their mother present. They said they didn't know why they threw Bertie in the air, it had been a mistake and they realised they shouldn't have done it.

They confirmed they did not think it was an acceptable way to treat the cat and they did not think it could hurt him at the time. The offender also stated they felt bad straight afterwards and said they would never do it again.

An investigation into the incident was concluded and, following a full review of the evidence, it was decided it was not in the public interest to prosecute – there were substantial factors such as immaturity, remorse, the support from their parent and the isolated nature of the incident. A prosecution would not have been a proportionate response to the incident – the appropriate way would be for them to receive some intervention work in order to change their attitude towards animals and prevent anything similar happening in the future.

The youth and their mother were invited to attend a session at an RSPCA animal centre with one of the RSPCA's training and development advisers. These sessions include one-to-ones using RSPCA materials and online interactions.

A new initiative

In 2018 the RSPCA launched a new initiative, Generation Kind, covering nine projects the RSPCA has been developing for young people and their families. Through the expansion of these education and outreach initiatives, the RSPCA hopes to reach two million children by 2030 – to help create a world that's kinder to animals.

The groundbreaking work the RSPCA is undertaking hopes to grow a new generation of young people – a generation who care, are informed and want to do their best for animals. Hopefully in years to come this will be reflected in a reduction of offences committed by young people.

Operational statistics 2018

Table 1: General RSPCA facts and figures for England and Wales

	2018	2017	2016
Calls to 24-hour cruelty line	1,175,193	1,037,435	1,153,744
Complaints of alleged cruelty investigated	more than* 130,767	141,760	149,604
Welfare improvement advice notices dispensed	more than* 66,169	76,460	84,725
Cases reported to RSPCA Prosecutions Department ^{1.1}	1,182	1,309	1,415
Suspects reported to RSPCA Prosecutions Department	1,703	1,776	2,040

1.1 A case may concern one or multiple suspects.

*Accurate figures can't be calculated due to change in recording systems.

Prosecution statistics 2018

All tables relate to England and Wales

Table 2: Prosecution outcomes ^{2.1}

	2018	2017	2016
Defendants convicted (juvenile offenders)	747 (15)	696 (8)	744 (5)
Convictions secured in the magistrates' courts (juvenile offenders)	1,678 (20)	1,492 (25)	1,477 (7)
Convictions following guilty pleas	1,255	1,105	1,029
Convictions following not guilty pleas and trials	423	381	448
Defendants with proceedings wholly discontinued or withdrawn by the RSPCA prior to or at trial ^{2.2}	48	46	44
Defendants with all offences dismissed after trial	12	20	16
<i>of which</i>			
Defendants dismissed – no case to answer ^{2.3}	1	0	2
Defendants with proceedings wholly discontinued by the CPS following a request to the DPP to intervene	0	1	0
Prosecution success rate ^{2.4}	92.5%	91.2%	92.5%
Offenders cautioned ^{2.5}	518	438	537
Offences for which cautioned ^{2.5}	667	614	719
Suspects reported but not cautioned or prosecuted because evidential test and/or public interest tests not met	595	531	680

2.1 Some outcomes from 2018 will relate to persons reported in previous years; some persons reported in 2018 will not have outcomes until 2019 or later. Prosecution outcomes are calculated on the basis of defendants, not cases.

2.2 Consideration of the evidence and the public interest may lead to proceedings being discontinued or withdrawn at any time before a trial. Discontinuance usually occurs in advance of a hearing, withdrawals usually occur at court.

2.3 Cases in which the defendant pleads not guilty and the prosecution evidence is heard but proceedings are dismissed by the magistrates without hearing the defence case.

2.4 Total defendants convicted as a percentage of all defendants.

2.5 Formal non statutory caution – offence has been committed but not in the public interest to prosecute.

Table 3: Convictions under the following legislation

	2018	2017	2016
Animal Welfare Act 2006	1,626	1,434	1,401
Criminal Law Act 1977	6	3	0
Dangerous Dogs Act 1991	1	2	4
Deer Act 1991	0	0	19
Fraud Act 2006	8	14	1
Hunting Act 2004	0	10	2
Magistrates' Courts Act 1980	4	1	0
Pests Act 1954	1	0	1
Pet Animals Act 1951	1	0	1
Protection of Animals Act 1911	0	0	1
Protection of Badgers Act 1992	8	1	32
Serious Crime Act 2007	1	0	0
Sexual Offences Act 2003	1	0	0
Wildlife and Countryside Act 1981	20	26	12
Wild Mammals (Protection) Act 1996	1	1	3

Table 4: Convictions for cruelty and neglect

	2018	2017	2016
Offences of cruelty contrary to the Animal Welfare Act 2006	1,626	1,434	1,401
<i>comprising of</i>			
Contrary to section 4 (causing unnecessary suffering)	876	821	832
Contrary to section 5 (mutilation)	1	0	1
Contrary to section 6 (tail docking)	1	0	0
Contrary to section 7 (administration of poison)	1	5	0
Contrary to section 8 (fighting)	17	15	9
Contrary to section 9 (duty to ensure welfare)	674	554	505
Contrary to section 34 (9) (breach of disqualification)	56	39	54

Table 5: Sentencing outcomes under all Acts ^{5.1 and 5.2}

	2018	2017	2016
Prison sentences imposed on individuals	66	42	58
Suspended prison sentences imposed on individuals	159	179	148
Community sentences imposed on individuals	370	337	363
Fines imposed on individuals	247	206	196
Conditional discharges imposed on individuals	56	65	66
Absolute discharges imposed on individuals	0	0	1
Disqualification orders imposed on individuals under the Animal Welfare Act 2006	651	602	628

5.1 One offender may have more than one sentence imposed.

5.2 A disqualification order can be imposed as a penalty in its own right, or it can be additional to any other penalty imposed.

Table 6: Appellant proceedings

	2018	2017	2016
Total number of appeals ^{6.1}	37	32	54
<i>of which</i>			
Appeals against conviction	0	6	7
Appeals against sentence	26	16	37
Appeals against both conviction and sentence	10	10	10
Appellants with all convictions quashed after appeal	1	0	0
6.1 Number of appeals determined in court.			
Appeals abandoned by appellant prior to or at an appeal hearing	10	12	12

Table 7: Number of convictions under the Animal Welfare Act 2006 relating to ^{7.1 and 7.2}

	2018	2017	2016
Dogs	970	882	858
Cats	293	188	187
Equines	264	225	215
Small mammals	85	78	83
Exotics	57	43	60
Rabbits	38	48	63
Domestic fowl	23	52	26
Wild birds	13	7	7
Farm animals	12	25	24

7.1 The number of animals above and the number of convictions recorded elsewhere may be different because one offence can relate to multiple animals, or multiple offences could have been committed in respect of one animal.

7.2 'Small mammals' refers to ferrets, guinea pigs, hamsters, mice, etc. 'Exotics' refers to snakes, monkeys, terrapins, parrots, etc. 'Domestic fowl' refers to chickens, ducks, geese, etc. 'Wild birds' refers to owls, woodpeckers, birds of prey, robins, etc., under the control of man. 'Farm animals' refers to cattle, goats, pigs, sheep, llamas, etc.

Table 8: Costs against the RSPCA

	2018	2017	2016
Costs awarded against the RSPCA following the dismissal of cases in the magistrates' court (cases/amount)	0/0	0/0	0/0
Costs awarded against the RSPCA following an appeal hearing (cases/amount)	0/0	0/0	0/0

Table 9: DPP (CPS) referrals ^{9.1}

	2018	2017	2016
Cases referred to DPP for intervention	5	2	8
Cases in which the DPP intervened to continue with the prosecution	0	0	0
Cases in which the DPP intervened to wholly discontinue the prosecution	0	0	0
Cases in which proceedings were partially discontinued by the CPS following a request to the DPP to intervene	0	1	0

9.1 Data based on the date of a CPS decision on a referral case.

Further explanatory notes:

1. The figures shown in the statistical tables were correct at the time of compilation but may be subject to revision.
2. Prosecution costs are subject to audit and audited figures are published in the *RSPCA Trustees' report and accounts*.



CYMRU

The unique breadth of an RSPCA officer's workload was demonstrated once again in 2018.

It was a pleasure to showcase the RSPCA Inspectorate's work to the Minister for Environment, Energy and Rural Affairs recently. The voice for animal welfare at the Welsh Government cabinet table, Lesley Griffiths AM, spent the day on the front line with an RSPCA officer, witnessing the work we do 24 hours a day to reach animals in need.

It is therefore very welcome that the Welsh Government has invited the RSPCA to produce a report on the feasibility of RSPCA inspectors accessing powers under the Animal Welfare Act 2006. A project has now begun to explore how this might help our officers keep animals safe in Wales.

Prosecutions are, of course, just a small part of our work. In Wales, the number of sentences secured in magistrates' courts is dwarfed by our frontline educational work and animal rescues. However, this report reminds us that sometimes the RSPCA is left with no choice but to prosecute in the interests of animals and, indeed, last year showed that prosecutions have hit a five-year high, demonstrating the importance of this work in protecting Wales' animals.

Some of the hardest cases we deal with are those where cruelty is planned and coordinated. It beggars belief that individuals would take time to plan to cause pain and suffering to another living creature – but that was exactly the case when the RSPCA exposed a badger baiting ring in North Wales. Two men were sent to prison after the horrific realities of this cruel, barbaric bloodsport were laid bare.

Cruelty perpetuated by young people is also particularly harrowing to witness and investigate, and highlights the importance of our new Generation Kind initiative (see page 28) – educating young people to show compassion and respect for all animals.

Fortunately, we know Wales is a nation of animal lovers – and most will be repulsed by the scenes of neglect, cruelty and mistreatment filling these pages. For the majority in Wales, animals are fellow living beings to be respected and treated with compassion. Our prosecutions in Wales in 2018 show where we have sought justice for those animals whose owners or keepers sadly thought differently.



On the road: Lesley Griffiths AM, Cabinet Secretary for Energy, Planning and Rural Affairs (right), joined an RSPCA inspector for a day, responding to animal welfare calls in north-east Wales.

Sexual offences

A case involving an indictable offence under the Sexual Offences Act 2003 was heard in the Crown Court in what proved to be a landmark case taken by the RSPCA.

A man was seen having sexual intercourse with one of his two dogs. The animals were seized by police and passed into RSPCA care.

An RSPCA inspector investigated and a vet took swabs from the dogs' rectums. Both were found to contain small traces of human DNA and the veterinary examination concluded anal penetration was a possibility. A forensic examination of penile swabs from the defendant was undertaken by a forensic company and canine DNA was detected.



There was a clear possibility of reoffending and the dogs were considered to be at risk of further harm if returned into the man's care, however he refused to relinquish legal ownership of the animals.

Greater sentencing powers

The RSPCA summonsed the individual for an offence contrary to section 69 of the Sexual Offences Act 2003.

As a serious offence, this case was sent to the Crown Court for trial. In addition, the Crown Court has greater sentencing powers than the Magistrates' Court.

The defendant was given a custodial sentence, however the judge felt the public may be better protected if that sentence was suspended for a long period. A deprivation order for the dogs was also issued by the court.

Both dogs have since been rehomed.

OFFENCES:

Sexual Offences Act 2003 s69; Animal Welfare Act 2006 s9

PLEAS:

Guilty

CONVICTIONS:

Two

SENTENCE:

Disqualified from keeping all animals for 10 years; three months' imprisonment (sexual offence) and one month's imprisonment (animal welfare offence) to be served concurrently and suspended for two years; £500 costs.

Cat's wounds left to fester

The RSPCA was notified about a cat with severely infected, painful injuries to his eye and face. The wounds had been left untreated for so long the cat, called Maverick, later needed long-term veterinary treatment and his eye had to be surgically removed.

Pellet wound

On her arrival, the RSPCA inspector saw that Maverick's left eye was sunken and barely visible, surrounded by discharge, and there was an injury above it. His owner told the inspector she believed Maverick had been shot with a pellet gun three months earlier. She hadn't taken him to a vet, claiming a family member had given her antibiotics and she had treated the cat herself.

The woman was advised that Maverick was in urgent need of veterinary attention and she agreed that the inspector could take him to a vet for treatment.

The vet confirmed Maverick was in a suffering state. Police took him into possession and he was given immediate treatment and pain relief.

No visible remorse

In interview, the woman changed her account when asked to explain how long Maverick had been injured and when she had treated him. She said she had cleaned the eye with neat Dettol and got the pellet out herself, showing no perceptible remorse about the length of time he had suffered, or for her failure to seek veterinary treatment for him.

Magistrates issued a deprivation order for Maverick, allowing the RSPCA to find him a new forever home.

OFFENCES:

Animal Welfare Act 2006 s4 and s9

PLEAS:

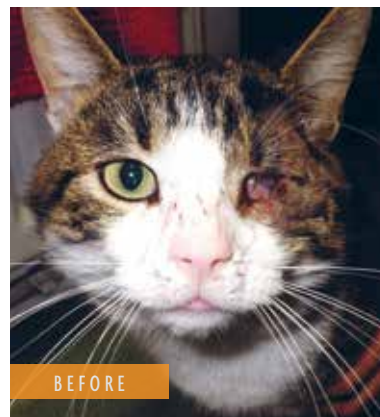
Guilty

CONVICTIONS:

Two

SENTENCE:

40 hours' unpaid work; £300 costs.





Wildlife crime

This intelligence-led operation led to surveillance being carried out by the RSPCA's Special Operations Unit, resulting in a group of men being filmed setting dogs onto a captive badger.

Artificial badger sett

Investigators believed the badger had been placed inside an artificial sett, specifically built for the purpose of encouraging dogs to engage with wild animals and fight each other. Footage showed the badger was prevented from escaping by the men and the dogs. The badger was attacked by the dogs and ill treated by the men and was obviously caused to suffer. Furthermore, the dogs were exposed to risk of injury.

The artificial sett comprised of two sewage pipes sunk into the ground running into connecting chambers that were covered in leaf litter. Large stones had been placed at the tunnel entrances, which could be used to block the animals inside. A large paving slab was placed over the chamber.

An independent badger expert found badger hair in the tunnel pipe and the chamber. There was no sign of natural badger activity in the area around the site, so it was likely the badger was caught elsewhere, transported in and placed into the artificial sett. The second pipe contained no evidence of badgers, but emitted a strong smell of fox. A number of skulls were found in the immediate area, likely to be fox and badger remains.

Terrifying captivity

Police executed warrants at two properties. At the first two captive foxes were found, thought to have been captured to use as bait in the artificial sett. One was housed just a few feet away from a confined terrier, which was barking almost continuously – it was clearly apparent the foxes were terrified by their confinement and location. In the vet's view the foxes were caused severe mental trauma by being confined near dogs and were both caused unnecessary suffering.

A subsequent examination of the foxes revealed their teeth were damaged, likely to have been caused by their attempts to escape. Sadly, the foxes could not be released back to the wild and had to be put to sleep by a vet on welfare grounds.

There were numerous dogs living in dirty conditions, some with old scars and injuries. Items frequently used by those committing wildlife crime were found, including; pronged digging implements; dog locators; dark clothing; tools with suspected badger hair on them; and snares.

Amateur surgery

Prescription-only medicines without dispensing labels were found, suggesting a breach of veterinary medicine regulations and likely to be illegally purchased. A skin stapler and suture materials were also found, which would usually only be used by a vet – indicative that one of the defendants was performing surgery on his own dogs' injuries.

A vehicle was seized and searched by police. It was found to contain many items associated with terrierwork, including another veterinary skin stapler, a locator for finding dogs underground, 'lamping' lights and digging equipment.

Material extracted from computers and phones revealed dialogue between the defendants, photos and videos of one of the defendants taunting a captive fox, and a video of one of the seized dogs with jaw injuries from fighting a badger.



Serious welfare offences: (From top left) a dog at the premises; a dog with injuries thought to be caused by a badger; a pipe similar to that used in the artificial sett; one of the captive foxes.

A total of 23 dogs, comprising of 16 terriers and seven lurcher-crosses, were seized. Sixty percent of these bore injuries and scars consistent with those caused when dogs are engaged in fights with badgers and foxes.

Eight dogs were found at the second premises, again some with facial wounds – these animals were also removed. Here, a large amount of hunting-related literature and paraphernalia was found, along with tools suspected to have been adapted for digging out badgers.

The vet concluded four dogs were caused to suffer in consequence of recent injuries caused by fighting with wild animals and due to the failure to seek veterinary attention for these injuries when they occurred.

The identities of the five men involved were established – all were prosecuted and four were convicted of various offences.

Landmark investigation

Speaking after sentencing, an RSPCA chief inspector said: “This was a major, landmark investigation in which the RSPCA caught individuals red handed in the act of using their dogs to barbarically fight with a badger.

“Badger baiting has been illegal for more than 180 years and it is sickening to find people still seeking to spend their time inflicting pain, suffering and misery on animals in this way. This was coordinated and carefully planned cruelty.

“This prosecution will be a warning to anyone involved in badger baiting. Put simply, there is no room for this disgusting activity.”

Case outcome:

Defendant 1:

Pleaded guilty to three offences, two under the Animal Welfare Act 2006 and one under the Protection of Badgers Act 1992. Disqualified from keeping dogs for four years; 10-month referral order; £200 costs.

Defendant 2:

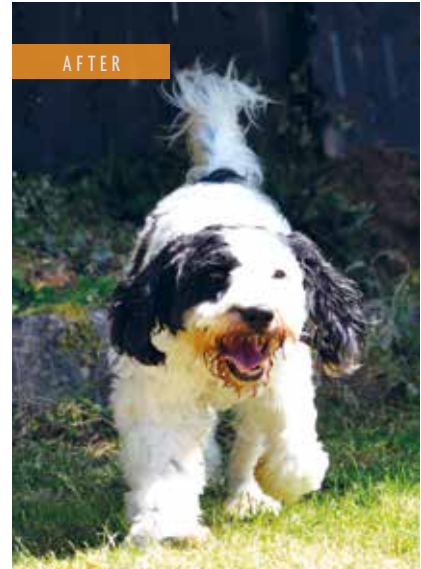
Pleaded guilty to three offences, two under the Animal Welfare Act 2006 and one under the Protection of Badgers Act 1992. Disqualified from keeping dogs for four years; 10 weeks' imprisonment, suspended for 12 months; 150 hours' unpaid work; £600 costs.

Defendant 3:

Convicted of seven offences after trial, six under the Animal Welfare Act 2006 and one under the Protection of Badgers Act 1992. Disqualified from keeping dogs for eight years, 22 weeks' imprisonment; 12-month supervision order post release; £5,000 costs.

Defendant 4:

Convicted of six offences after trial; five under the Animal Welfare Act 2006 and one under the Protection of Badgers Act 1992. Disqualified from keeping dogs for eight years; 20 weeks' imprisonment; 12-month supervision order post release; £600 costs.



Dog abandoned in cold weather

The RSPCA received calls about a dog being left unattended for days on end.

The collie spaniel-cross, called Dylan, had been locked in an upstairs bedroom in a derelict house with broken windows that were partially boarded up. The property had no heating and there had been a heavy snowfall. Witnesses could hear the dog whimpering.

Skin and bone

An RSPCA inspector and animal collection officer visited and found the owner's ex-girlfriend about to take Dylan to her house. The inspector felt down his body and could feel every bone under the dog's long, matted coat. His spine and pelvic bones protruded and his shoulder bones felt sharp.

The inspector explained to her that Dylan was extremely thin, therefore she believed offences had been committed. She advised that Dylan needed to see a vet, at which point the dog's owner arrived.

The man was highly aggressive. He hurled verbal abuse at the inspector and swore repeatedly before taking hold of Dylan and storming away.

Aggression and verbal abuse

The RSPCA officers pursued the man for about a mile along the road in the icy, slippery conditions while speaking to police on the phone. When they caught up with him, he continued to be aggressive and verbally abusive, however his tirade was being overheard and recorded by police. Eventually, he handed Dylan to the RSPCA inspector.

Dylan was taken to a vet for examination. He was ravenously hungry and extremely underweight. The vet concluded Dylan had been caused unnecessary suffering for at least two weeks due to a lack of food. He proved a very friendly and affectionate dog and steadily gained weight over the following weeks.

Numerous attempts were made to contact the man for interview, but he remained uncooperative.

"Nonsense"

In court, the man claimed Dylan had lost weight due to worms, which had been treated. However, the District Judge dismissed that, saying "the less said about that nonsense, the better".

Speaking after the case, the inspector said she had been shocked to find an animal in such a neglected condition.

“
The owner hurled verbal abuse at the inspector and swore repeatedly
”

“When I touched Dylan I could feel every single vertebra under his coat. He was a skeleton,” she said. “He was failed in every way, left on his own for long periods of time and not given regular food.

“Since being in the RSPCA's care he has put on weight and is now looking healthy. He is a lovely dog and doing amazingly.”

Dylan was successfully rehomed with new owners and has settled in extremely well.

OFFENCES:

Animal Welfare Act 2006 s4

PLEA:

Guilty

CONVICTION:

One

SENTENCE:

Disqualified from keeping all animals for five years; 20-day Rehabilitation Activity Requirement; £300 costs.



Fred



Nellie



Norman



Curly Sue



Derek

AFTER

Guinea pigs hoarded

A large number of guinea pigs were found living free to roam in a room full of straw and faeces that had been left to accumulate on top of years' worth of hoarded belongings.

Necessary intervention

There were concerns for the animals so, after repeated attempts to make contact with their owner failed, police executed a warrant under the Animal Welfare Act 2006. The local authority also executed a warrant under the Environmental Protection Act 1990.

Inside the property, belongings were piled high and there was a terrible smell. There was a sign on the door to the room where the guinea pigs were kept saying it was "looked after with tender loving care".

The room was full of old, compacted hay and straw, animal faeces and household debris, a metre deep in places. A desk, bookcase and windowsills were all covered with guinea pig faeces.

Several guinea pigs were glimpsed darting in and out of burrows in the heaps. Plates were laid around containing filthy, yellow water dregs but no sign of fresh food. The stench of ammonia was overwhelming – all the windows were shut and heavily covered in cobwebs, suggesting they had not been opened for some time.

A vet confirmed the conditions in which the guinea pigs were living in would be causing them to suffer and they could not stay there. It was decided no one should enter the room other than the

OFFENCE:

Animal Welfare Act 2006 s4

PLEA:

Guilty

CONVICTION:

One

SENTENCE:

Disqualified from keeping all animals for 10 years; two years' conditional discharge; £300 costs.

RSPCA and police, all with protective clothing and respirators.

Many hours' work

After hours of careful excavation through the compacted layers of straw, rubbish, bedding and food waste officers managed to capture 26 live guinea pigs, which were taken to a vet. A mummified guinea pig's body was also found.

Altogether, it took around eight hours to clear the room and a further three guinea pigs were discovered.

The vet found many of the animals had torn ears, likely to be from fighting, and some had skin issues. Others had inflammation of the feet and some were underweight due to a feeding hierarchy. They were all nervous, apparently unused to being handled.

The woman, who was evasive throughout the investigation and court proceedings, was eventually arrested after a warrant was issued by the court. Magistrates deprived her of the 29 guinea pigs.

The surviving guinea pigs have since been rehomed.



BEFORE

Wales prosecution statistics

Table 1: Headline statistics

	2018	2017	2016
Cases reported to RSPCA Prosecutions Department ¹¹	111	121	141
Suspects reported to RSPCA Prosecutions Department	173	164	205
Defendants convicted (juvenile offenders)	80 (3)	67(0)	61(0)
Convictions secured in the magistrates' courts	164	148	120
Convictions following guilty pleas	142	113	92
Convictions following not guilty pleas and trials	22	35	28
Defendants with proceedings wholly discontinued or withdrawn by RSPCA prior to or at trial ¹²	8	6	5
Defendants with all offences dismissed after trial	2	1	0
<i>of which</i>			
Defendants dismissed – no case to answer ¹³	1	0	0
Prosecution success rate ¹⁴	88.8%	90.5%	92.4%
Offenders cautioned ¹⁵	41	52	67
Offences for which cautioned ¹⁵	48	68	96
Suspects reported but not cautioned or prosecuted because evidential and/or public interest tests not met	48	44	75

1.1 A case may concern one or multiple suspects.

1.2 Consideration of the evidence and the public interest may lead to proceedings being discontinued or withdrawn at any time before a trial. Discontinuance usually occurs in advance of a hearing, withdrawal usually at court.

1.3 Cases in which the defendant pleads not guilty and the prosecution evidence is heard but proceedings are dismissed by the magistrates without hearing the defence case.

1.4 Total defendants convicted as a percentage of all defendants.

1.5 Formal non-statutory caution – offence has been committed but not in the public interest to prosecute.

Table 2: Convictions for cruelty and neglect

	2018	2017	2016
Offences of cruelty contrary to the Animal Welfare Act 2006	154	148	114
<i>comprising of</i>			
Contrary to section 4 (causing unnecessary suffering)	96	85	70
Contrary to section 5 (mutilation)	0	0	1
Contrary to section 6 (tail docking)	0	0	0
Contrary to section 7 (administration of poison)	0	0	0
Contrary to section 8 (fighting)	7	0	0
Contrary to section 9 (duty to ensure welfare)	48	58	41
Contrary to section 34 (9) (breach of disqualification)	3	5	2

Table 3: Sentencing outcomes under all Acts ^{3.1 and 3.2}

	2018	2017	2016
Prison sentences imposed on individuals	7	2	4
Suspended prison sentences imposed on individuals	16	13	15
Community sentences imposed on individuals	37	37	28
Fines imposed on individuals	37	14	21
Conditional discharges imposed on individuals	1	8	2
Absolute discharges imposed on individuals	0	0	0
Disqualification orders imposed on individuals under the Animal Welfare Act 2006	65	53	44

3.1 One offender may have more than one sentence imposed.

3.2 A disqualification order can be imposed as a penalty in its own right, or it can be additional to any other penalty imposed.

Table 4: Appellant proceedings

	2018	2017	2016
Total number of appeals ^{4.1}	6	2	4
<i>of which</i>			
Appeals against conviction	0	0	2
Appeals against sentence	5	1	2
Appeals against both conviction and sentence	1	1	0
Appellants with all convictions quashed after appeal	0	0	0
4.1 Number of appeals determined in court.			
Appeals abandoned by appellant prior to or at an appeal hearing	1	0	0

Table 5: Number of convictions under the Animal Welfare Act 2006 relating to ^{5.1 and 5.2}

	2018	2017	2016
Dogs	91	107	52
Cats	37	11	10
Equines	21	17	28
Small mammals	7	16	18
Rabbits	4	5	10
Wild birds	2	0	1
Exotics	1	0	6
Domestic fowl	0	6	4
Farm animals	1	3	3

5.1 The number of animals above and the number of convictions recorded elsewhere may be different because one offence can relate to multiple animals, or multiple offences could have been committed in respect of one animal.

5.2 'Small mammals' refers to ferrets, guinea pigs, hamsters, mice, etc. 'Wild birds' refers to owls, woodpeckers, birds of prey, robins, etc., under the control of man. 'Exotics' refers to snakes, monkeys, terrapins, parrots, etc. 'Domestic fowl' refers to chickens, ducks, geese, etc. 'Farm animals' refers to cattle, goats, pigs, sheep, llamas, etc.

The *Further explanatory notes* on page 31 also apply to these statistics.

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