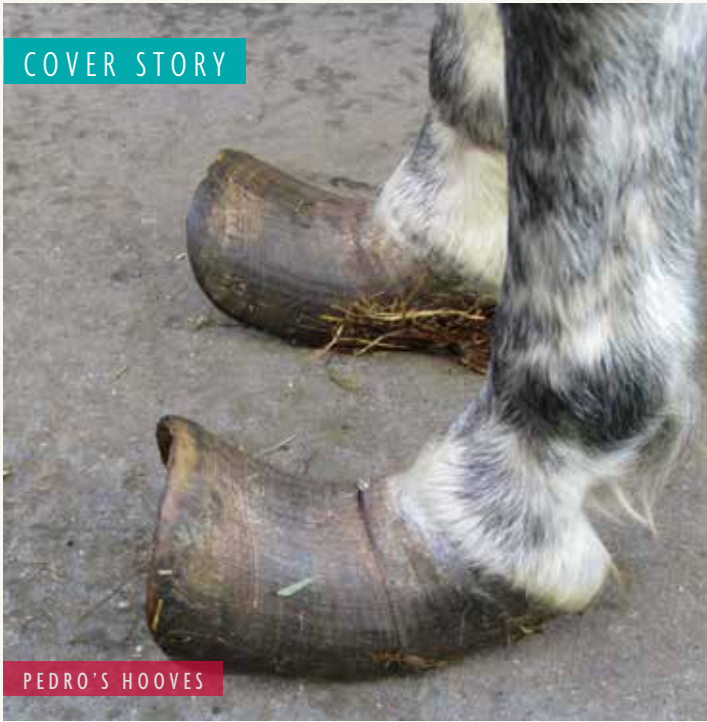




PROSECUTIONS
ANNUAL REPORT 2017

COVER STORY



PEDRO'S HOOVES



PEDRO AFTER

Severely overgrown hooves

Festival-goers in Wales contacted the RSPCA concerned about a group of ponies they had seen, in a field next to the festival site, with extremely overgrown hooves. In the worst such case he had ever known, RSPCA Inspector Nic de Celis led the rescue of Welsh mountain ponies Tiggy and Pedro, and miniature Shetland ponies Tex, Tango and Titch. Each pony needed veterinary treatment to relieve their pain and extensive farrierwork to correct their acutely distorted hooves.

Tango and Titch required further specialist farriery and veterinary treatment. Tex, the young Shetland stallion (front and back covers), made a good recovery and the two Welsh mountain ponies Pedro (above) and Tiggy, will be made available for rehoming when they are sufficiently restored to health.

Their owner was disqualified from keeping horses for five years and sentenced to 18 weeks' imprisonment, suspended for two years.

Pedro represented the RSPCA at the Your Horse Live event and hundreds of people attending heard his story.

Headline prosecution statistics 2017

All figures relate to England and Wales

| | 2017 | 2016 | 2015 |
|---|-----------|----------|----------|
| Defendants convicted (juvenile offenders) | 696(8) | 744(5) | 796(9) |
| Prosecution success rate ¹ | 91.2% | 92.5% | 92.4% |
| Defendants with all offences dismissed after trial | 20 | 16 | 5 |
| Prison sentences imposed on individuals ² | 42 | 58 | 71 |
| Suspended prison sentences imposed on individuals ² | 179 | 148 | 165 |
| Disqualification orders imposed on individuals under the Animal Welfare Act 2006 ³ | 602 | 628 | 656 |
| Convictions secured in the magistrates' court (juvenile offenders) | 1,492(25) | 1,477(7) | 1,781(5) |

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.

FOREWORDS



HAYLEY FIRMAN
RSPCA Head of Prosecutions

Each year, the RSPCA's Inspectorate is called upon to investigate thousands of cases of cruelty, abuse and neglect, and 2017 has been no exception. Sadly, we continue to see challenging cases involving serious acts of cruelty to wild and domestic animals. There is a wide range of offences; some may originate, in part, from the socio-economic environments in which people live, others occur in consequence of organised criminal activity, whether for financial gain or otherwise.

The RSPCA 2017–2021 *Strategy* contains a pledge: to commit to our continued aim of preventing cruelty and promoting kindness by building a better understanding of animal needs; supporting those that require our help through education and advice; and enforcing the law where appropriate.

Inspectors continue to work with individuals who are prepared to accept advice to improve the welfare of their animals. There are still occasions, however, when there is no option but to resort to the prosecution process. There has been a decline in the number of case file submissions from the Inspectorate this year, leading to a slight fall in the number of defendants prosecuted, while the number of convictions secured increased marginally. The conviction rate, where defendants have pleaded guilty or been convicted after a trial, still remains high at 91.2 percent.

During 2017 the RSPCA piloted an intervention programme aimed at adults convicted of an animal cruelty offence. This pilot will not only offer an opportunity for participants to improve their understanding of animal welfare and potentially reduce the risk of reoffending, but also contribute to our understanding of animal cruelty offences and how we can better educate animal owners and prevent cruelty in future.

Also during 2017, the RSPCA published its *Prosecution Policy* and established a Prosecution Oversight Panel.

The *Prosecution Policy* sets out the basis on which the RSPCA prosecutes and the guidance that is followed during our review and decision-making process. It sets out how we seek to apply the Code for Crown Prosecutors.

The Oversight Panel sat on three separate occasions during 2017 and reviewed a sample of our casework. The panel is comprised of external professionals, whose purpose is to sit in an expert advisory capacity to provide independent assessment and recommendation on the RSPCA's prosecution function. Following each review, a summary of its findings is published on the RSPCA website. As one of the reasons for the establishment of this panel was to provide the public with reassurance regarding the RSPCA's prosecution function, I am delighted to say the panel has reported that, overall, it has found our casework demonstrates transparency, independence, a balanced approach, and has been executed to a high standard. I am committed to taking on the views and recommendations of the panel so that we can continuously improve the work we do.

I thank everyone who has contributed to making a difference to the lives of animals neglected and abused in 2017. I sincerely hope you will find the examples in this report of some of the cases we have dealt with, and the statistical information provided, a testament to how the RSPCA makes a difference to animal welfare.



DAPHNE HARRIS
RSPCA Chair of Trustees

When the RSPCA was formed in 1824 the world was a different place. Society has seen vast changes in all areas of life and the pace of change shows no sign of slowing.

Sadly, the one thing that has not changed in all those years is that people are still cruel to animals now, as they were then, and there is still a need for the RSPCA to do all it can to prevent cruelty, promote kindness and alleviate suffering.

The greater proportion of the work of the RSPCA's Inspectorate is preventative – advising and educating the public on how best to improve the welfare of their animals to ensure they have their needs met and do not suffer.

On occasion, though, RSPCA intervention is too late to prevent suffering. When inspectors encounter neglected or abused animals, and there is evidence to prove that an offence has been committed, there is an expectation that the RSPCA will enforce the law.

It has long been appreciated that legislation to protect animals will only be regarded as effective if it is properly enforced and the RSPCA remains the principal prosecutor of animal cruelty offences in England and Wales. Prosecution upholds the law of the land and deters others from committing offences. A prosecution can directly protect animals which might be confiscated by the courts from persons convicted of cruelty. Those persons can also be disqualified from having animals in the future – a useful preventative tool.

This report highlights the public benefit derived from the RSPCA's work as a private prosecutor; preventing cruelty and protecting the animals that so many of us respect and love.

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AFTER

Rex's story

A man who neglected his dog, Rex, and failed to seek veterinary treatment for his severe skin condition and ear infection, was disqualified from keeping all animals for a decade.

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The man shouted at Inspector Cooper, using offensive language, but she persisted

”



Squalid and unkempt

RSPCA Inspector Gemma Cooper wondered if anyone actually lived at the property when she first arrived, as the front garden was so overgrown. Weeds encroached the front door so she went to the side door, opposite which was a heavy metal bin. Attached to this was a rusty chain that ran under the door into the house. Inspector Cooper called out and eventually a man opened the door, looked at her uniform and told her to “f*** off”. She could see a bearded collie-cross attached to the other end of the chain.

The house was filthy and squalid. The dog, who was called Rex, had restricted room to move on the end of the chain. A plastic tub on the floor contained a little water, and another had mouldy, dried dog food in it.

Rex had an extremely matted and dirty coat. His fur was thinning towards his back end, revealing crusty, sore skin and showing how thin his body was. His nails were extremely overgrown and he smelt very bad. His head dipped and he looked very submissive as his owner stood over him.

The owner shouted at Inspector Cooper, using offensive language, but she persisted, explaining to him that Rex – who constantly scratched his face, neck and torso – needed to see a vet.

Fur clogged with scabs

A vet attended and confirmed Rex was suffering. Police arrived and seized the dog, passing him into RSPCA care. Inspector Cooper commented that the man’s house

was one of the messiest and dirtiest she had ever been into, with a waist-high mound of rubbish taking up most of the living room. He had reverted to living in these conditions despite receiving help from social services in the past.

Rex was taken to a veterinary surgery to be fully examined. The vet found pus and blood inside his ears, which must have been very painful. His fur was heavily matted by the huge amount of scabs that had come away, clogging his fur.

Rex was shaved, which revealed the extent of his skin condition. He had open sores and scabs all over his body, from his head to the tip of his tail and down all four legs. There was a sore patch underneath his neck, which looked particularly painful and, throughout the examination, Rex continued to scratch. The weakness in his back legs showed while he was standing on the examination table – after a few minutes he needed to sit down.

The vet concluded that Rex had suffered as a result of his owner failing to address his chronic skin condition and ear infection.

Risk of reoffending

When interviewed, the man – who had owned Rex for more than nine years – revealed he knew of the dog’s condition and that he needed veterinary attention. He said he did not take Rex to a vet because vets were “greedy” and he did not trust them. He showed no empathy towards the animal in his care and the RSPCA considered there was a high risk of

reoffending should Rex be returned to him: he commented if he got Rex back he would keep him in the coal bunker as this would be cold and soothing for his skin.

Rex made huge improvements whilst in RSPCA care, both physically and mentally. When Inspector Cooper visited him in boarding she was amazed by how much his skin had healed in just five days. Although Rex still had scabs they were healing, and the redness of his skin had faded; he seemed more confident in himself.

Magistrates at Merthyr Tydfil Magistrates’ Court ordered the deprivation of the dog, allowing the RSPCA to find Rex a new, loving home.

CASE SUMMARY

Investigating officer:

RSPCA Inspector Gemma Cooper

Defendant:

Male 70*, retired

Offences:

Animal Welfare Act 2006 s4

Pleas:

Guilty

Convictions:

Two

Sentence:

Disqualified from keeping all animals** for 10 years; £400 costs.

Prosecuted by:

Martyn Prowel Solicitors

* Age given in case summary boxes refers to the defendant’s age at the time of sentencing.

** 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.

Rufus and Buddy's story

A contractor carrying out a property inspection in Northumberland was horrified to discover two starving dogs inside a filthy property, abandoned to fend for themselves. He called the RSPCA.

RSPCA Inspector Kirsty Keogh-Laws found Taz, a cream-coloured lurcher-cross, under a duvet on the sofa in a room strewn with hazards. The floor was covered in faeces and there was a strong smell of ammonia. The property was without electricity, so it was difficult to see around.

When Inspector Keogh-Laws touched the sofa where Taz was lying she found it soaking wet. She could see the dog's cream-coloured head above the top of the cover; his eyes were closed and sunken and he wasn't moving, so at first she thought he was dead. She leant over and began to remove the duvet and, as she put her hand on him, she could feel every bone in his body. Taz then tried to lift his head. His eyes were glazed over, he was completely collapsed and unable to move, and his breathing was very shallow. His hips, ribs and spine were prominent.

Unable to stand

On the other sofa was a second dog, a black-and-white collie-cross called Bud. He was also extremely thin, sitting up but reluctant to stand. Both dogs had heavy and visible flea infestations and it was clear they were in dire need of veterinary attention. As Inspector Keogh-Laws picked Taz up he flopped into her arms, unable to hold

himself up. She carried Taz to her van and took both dogs straight to a vet. The vet certified both were suffering and police seized the dogs, passing them into the care of the RSPCA.

Hospitalised

Taz had pressure sores across his body and a very low body temperature. He was given intravenous fluids to correct his dehydration and was fed small amounts of food little and often. Bud was also given intravenous fluids and appropriate quantities of food. Both dogs were prescribed antibiotics and treated for their flea infestations.

Taz put on 2.3kg in weight and Bud gained 1.8kg in just 11 days. Once they were well enough they were transferred to RSPCA Felledge Animal Centre to continue with their recovery.

When interviewed, the man responsible admitted he had left the dogs unattended for several weeks and that he had made no provision for them to be given food and water. He hadn't even told anyone the dogs were locked inside. He didn't want to see the inspector's photographs of the dogs. He believed Taz and Bud would have died if the RSPCA hadn't stepped in when they did, yet claimed: "Taz was my life"

The lives all dogs deserve

Taz and Bud's journey back to health was completed when they were rehomed together.

Inspector Keogh-Laws said: "I recently had the pleasure of seeing the dogs again, now settled into their new loving home. The recent pictures of Taz, who is now called Rufus, and Bud, now called Buddy, speak volumes and the lives they enjoy with their new owners are such a contrast from when we rescued them.

"Rufus and Buddy now have the kind of lives all dogs should have. They frolic together in nearby fields, Buddy leaping into the air to catch his tennis ball while Rufus loves to run through the long grass.

"They've gone from the worst of lives to the best of lives – they're living the dream."

Picture of health: (Right, above) Rufus and Buddy were rehomed together.

Thin and weak: (Right, below) The dogs were rescued from filthy conditions.

CASE SUMMARY

Investigating officer:

RSPCA Inspector Kirsty Keogh-Laws

Defendant:

Male 25, unemployed

Offences:

Animal Welfare Act 2006 s4 and s9

Pleas:

Guilty

Convictions:

Four

Sentence:

Disqualified from keeping all animals for five years; 60 hours' unpaid work; 20-day rehabilitation activity requirement; £100 costs.

Prosecuted by:

McKeag & Co Solicitors



AFTER

“

They've gone from
the worst of lives to
the best of lives

RSPCA Inspector Kirsty Keogh-Laws

”

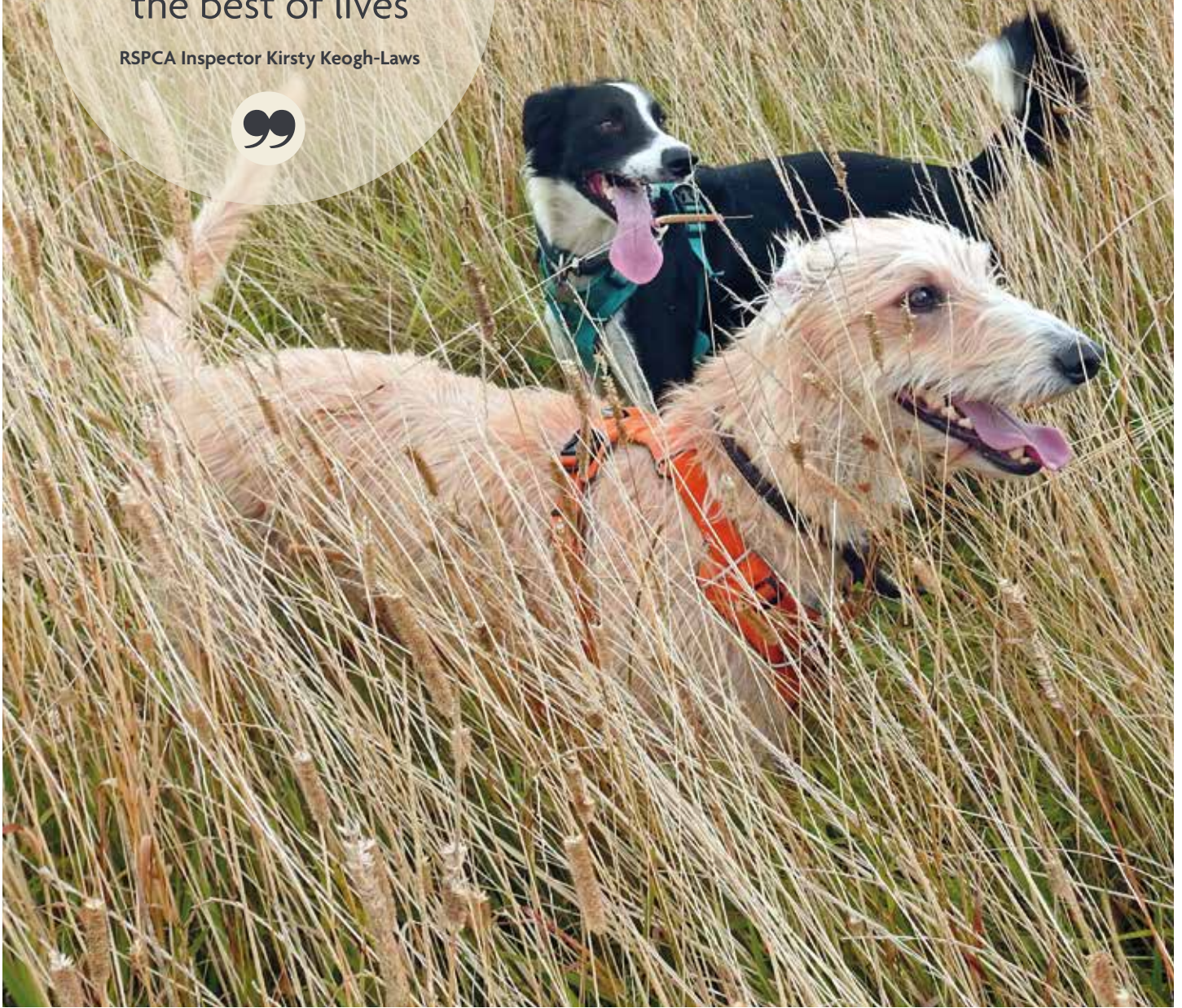


Photo: Susan Worsfold/RSPCA

BEFORE



Cattle abuse

Covert filming by a third party resulted in disturbing footage being passed to the RSPCA of a stockman abusing cows and their calves.

CASE SUMMARY

Investigating officer:

RSPCA Inspector John Pollock

Defendant:

Male 18, unemployed

Offences:

Animal Welfare Act 2006 s4

Pleas:

Guilty

Convictions:

Two

Sentence:

Disqualified from keeping any animal farmed for commercial purposes for two years; 12 weeks' imprisonment suspended for one year; 30-day rehabilitation activity requirement; 150 hours' unpaid work; £300 costs.

Prosecuted by:

Meyer Withey Solicitors

Caught on camera: Footage of the stockman's brutality was used as evidence in court.

The hidden camera, set up in an open barn, captured cows being kicked and punched and their calves being manhandled, kicked, thrown to the ground and stamped on. The animals were vulnerable; newly born calves and cows that had just given birth.

Shocking footage

In one clip, the stockman was seen giving a heavy kick to one of the new mothers, hitting her on the side of her body, shouting and swearing, and slamming a gate into her. He then kicked her full in the face and threw her newborn calf away from her. In another clip, he was seen to kick and stamp on a calf seven times in a row. He threw a calf twice, slammed another to the ground and kicked yet another in the head.

RSPCA Chief Inspector David Steele showed the footage to the farm owner, who identified the man as a part-time employee. The farmer – proud of his high welfare standards – was perplexed as to why the offender had done these things, as he had seemed to be an up-and-coming stockman with good prospects. The offender was dismissed from his employment.

No excuse for brutality

When interviewed, the offender said he felt disgusted with himself after seeing the clips. He confirmed that his agricultural college had taught the five freedoms and the Defra Welfare Codes in relation to handling, care and treatment of livestock and he agreed that the stockmanship section states that: *'Cattle should be encouraged to move gently and you should avoid using too much noise, excitement or force and should not put pressure on or strike at any sensitive part of the body (such as the head or udder).'*

When asked why he kicked the cow twice he said it was a one-off build-up of temper, to do with personal circumstances. He understood that none of those factors excused his brutality towards the animals in his care.

When sentenced, the defendant was told: "Your behaviour was absolutely unacceptable. The offence was deliberate and sustained. Kicking, stamping, hitting – including to the head – throwing and shouting carry a high level of suffering."

Farm passes inspections

RSPCA Inspector John Pollock revisited the farm, accompanied by a vet from the government's Animal and Plant Health Agency, to check all the stock on the farm. All the animals were found to be healthy.

Since the incident, the premises has been inspected by Defra, the Red Tractor scheme and their commercial partners, who all regard this as a one-off incident. The farm has also held a practical training workshop for all staff, carried out by vets.





Akin to torture: The court's opinion of feeding drugs to this hamster.

Hamster fed drugs

A man who fed cannabis and a soft drink spiked with LSD to a hamster was jailed after video footage came to light during a police drugs raid on his home.

While under the influence of alcohol and/or drugs, a group of men filmed the incident on a mobile phone, presumably for repeat amusement. The footage captured the moment the hamster was fed cannabis leaves through the bars of his cage, then showed one man adding LSD to a bottle of Tizer and pouring it into the hamster's water bottle.

Causing suffering for fun

The men could be heard saying that this "could be the end" for the hamster and encouraging each other to give him more drugs, laughing as he ingested them.

The offence was discovered when police, in executing a warrant issued under the Misuse of Drugs Act 1971, found three emaciated mastiff-type dogs tied to radiators by very short leads. The dogs had injuries consistent with fighting between themselves and two of the dogs, Faith and Zeus, also had head and facial injuries.

A significant amount of cannabis was found at the property, which was in a complete state of disarray with mounds of rubbish and dirty crockery spread over the kitchen and lounge and dog faeces on the floors.

The mobile phone containing footage of the hamster being abused was among the evidence seized by police. RSPCA Inspector Sarah Hayland attended and took the animals to a private veterinary practice.

Physical and mental suffering

Tests on hair from the hamster confirmed he had been given LSD. Cannabis and LSD are poisonous, injurious substances to a hamster. They would cause suffering – and can be fatal.

Mastiffs Zeus and Faith had CT scans, which showed both dogs had multiple injuries and facial fractures, which the vet considered were consistent with trauma by kicks or blows to their heads inflicted by a person. Their dietary needs had not been met. When asked about the fractures to Faith and Zeus's faces their owner claimed they had fallen over or banged their heads.

It was the court's opinion that the feeding of drugs to the hamster was "akin to the torture of a caged animal".

New lives

Inspector Hayland said: "Faith and Zeus have done amazingly well at RSPCA Blackpool & North Lancashire Branch. The pictures of them now and before are quite extraordinary – they just don't look like the same animals. I am so happy that we will be able to find great new homes for them."

Fortunately, the hamster also made a full recovery. He and the third dog, Troy, were signed over to the RSPCA and have been successfully rehomed.

CASE SUMMARY

Investigating officer:

RSPCA Inspector Sarah Hayland

Defendants:

Defendant 1: male 22 unemployed;
Defendant 2: male 22, unemployed;
Defendant 3: male 22, unemployed

Offences:

Animal Welfare Act 2006 s4, s7 and s9

Pleas:

Guilty

Convictions:

Nine

Sentences:

Defendant 1: Disqualified from keeping all animals and birds for eight years; four months' imprisonment.

Defendant 2: Disqualified from keeping dogs for five years; 250 hours' unpaid work; £300 costs.

Defendant 3: Disqualified from keeping all animals for two years; 80 hours' unpaid work; £300 costs.

Prosecuted by:

JKW Solicitors

Extreme neglect

Ten cats with a multitude of health problems were removed by the RSPCA from conditions that shocked even experienced police officers.

Deathly smell

Fire crews, paramedics and police first entered the property in response to reports of an overpowering smell coming from inside: there were fears that someone had died. When the front door was opened a cloud of flies came out and officers heads grazed the ceiling as they climbed over the deep pile of rubbish inside.

RSPCA Inspector Nikki Denham and RSPCA Animal Collection Officer (ACO) Phil Hamilton were called. They put on protective clothing and face masks before they entered.

In the living room, Inspector Denham was unable to see the floor under the mass of objects and rubbish, including tins, bottles and faeces. Surfaces throughout the house were contaminated with huge amounts of cat faeces and urine.

Hard to catch

There was no water anywhere for the cats. The 10 oriental-type cats had many places to hide among the filth and chaos, so Inspector Denham and ACO Hamilton were only able to capture four on their first visit.

The remaining cats were caught over the following days; police seized them and passed them into RSPCA care. Five of the cats were taken to a vet, who was concerned about how lifeless they were.



All the cats were underweight and had dental disease. One cat, called Bruce, was in a particularly poor condition; severely emaciated with advanced dental disease, dermatitis and the most severe case of cat flu the vet had ever seen. Sadly, Bruce did not respond to treatment, so had to be euthanased by the vet on welfare grounds.

Congenital liver disease

The other cats started to deteriorate and, sadly, did not survive. Post-mortem examinations found they had been suffering from a disease called amyloidosis, which leads to decreased liver function and eventually liver failure. It is a congenital disease and interbreeding increases the risk of it being passed down to later generations. The owner had not had her cats neutered.

When interviewed, the owner disagreed with the veterinary evidence that her cats had been suffering from a multitude of conditions. She denied they were neglected and living in an environment detrimental to their welfare and said she wanted them back.

The woman later appealed against her sentence at Winchester Crown Court, however this was dismissed. The disqualification order remained and she was ordered to pay an additional £1,250 costs.

The four surviving cats were taken to RSPCA Millbrook Animal Centre and one, called Nelly, was successfully rehomed. Sadly, the

other three cats were too unwell to recover and had to be euthanased by a vet to prevent further suffering.

House of horrors: (Above) The cats were living in deep piles of rubbish and filth. (Below) Officers needed protective clothing and face masks to rescue the animals.

CASE SUMMARY

Investigating officer:
RSPCA Inspector Nikki Denham

Defendant:
Female 53, senior business analyst

Offences:
Animal Welfare Act 2006 s9

Pleas:
Guilty

Convictions:
Five

Sentence:
Disqualified from keeping all animals for 10 years; two-week curfew; £360 costs. Ordered to pay an additional £1,250 costs on appeal.

Prosecuted by:
Blake Morgan Solicitors

Abandoned cats

RSPCA Inspector Alex Coghlan attended a property in Suffolk after the RSPCA received two complaints on the same day about cats being abandoned.

Filthy conditions

There was no answer to Inspector Coghlan's knock, but from outside the house she could smell urine and faeces. There were no windows or doors open to allow the cats in or out of the house, and she could see at least two cats in an upstairs window and five in the back garden. Inspector Coghlan left a form asking the owner to contact the RSPCA and sealed the property.

These seals were intact when she returned the next day, showing that no one had been inside, so she put wet food and biscuits down for the cats in the rear garden and was able to put food into the front hallway via a small vent. Through the vent she could see at least two young kittens, about four weeks old, and several adult cats of various colours. Conditions inside were filthy, with an overflowing litter tray and piles of faeces on the floor.

The following day Inspector Coghlan managed to meet with the owner of the cats, who claimed someone had been visiting to feed them – although she later admitted this was not true. She had in fact left them to fend for themselves for five days.



No food or water

Inspector Coghlan accompanied the owner inside the house, where conditions were extreme. There was a severe flea infestation, floors were cluttered and tacky to walk on and there were piles of faeces that were impossible to avoid treading on in places. The dead body of a five-week-old tabby kitten lay in the hallway.

Upstairs, the bath contained a lot of faeces and the bathroom sink had a small amount of filthy water in the bottom. There was no water available to any of the cats and any wet cat food that had been put down had gone mouldy. It was apparent that the conditions had not become that extreme during the five days the owner had been away, but had clearly reached that point over a much longer period.

Conditions were too advanced for the matter to be dealt with by way of a warning notice – Inspector Coghlan knew she could not leave animals in that environment.

Signed over

The owner allowed a vet inside the house, who confirmed the cats were likely to suffer if circumstances did not change. The owner said she did not ask for help because she

was too ashamed of the state of her house. She agreed to sign all her 16 cats over into the care of the RSPCA and they were taken to a private boarding establishment.

The cats were later taken to RSPCA Blackberry Farm Animal Centre and, when they are ready, will be made available for rehoming.

CASE SUMMARY

Investigating officer:

RSPCA Inspector Alex Coghlan

Defendant:

Female 39, part-time school worker

Offences:

Animal Welfare Act 2006 s9

Pleas:

Guilty

Convictions:

Two

Sentence:

Disqualified from keeping all animals for five years; 80 hours' unpaid work; £200 costs.

Prosecuted by:

Greenwoods Solicitors





The animals were living in their own little prison cells – it was absolutely horrific

RSPCA Inspector Laura Kirkham



CASE SUMMARY

Investigating officer:

RSPCA Inspector Laura Kirkham

Defendant:

Female 64, carer

Offences:

Animal Welfare Act 2006 s4 and s9

Pleas:

Guilty

Convictions:

Six

Sentence:

Disqualified from keeping dogs for life and all other animals for three years; 12 weeks' imprisonment suspended for one year; £500 costs.

Prosecuted by:

Cartwright King Solicitors



Photo: Beverley Perkins

Animal hoarding

Thirty adult dogs, six puppies, two cats and two parrots were rescued from the horrific conditions in which a former Crufts winner was keeping them.

Shut in crates

When RSPCA Inspectors Laura Kirkham and Dave McAdam arrived at the property, they detected an overpowering smell coming from an adjoining outhouse. Through a broken windowpane the inspectors glimpsed, through the gloom, several frightened, unwell-looking dogs confined in an assortment of filthy, faeces-strewn crates. Inspector Kirkham called for urgent veterinary and police assistance.

Once inside, conditions were indescribable; with the lack of ventilation the stench of urine and faeces was overwhelming. Ten dogs were confined in crates, some of which were stacked on top of each other, without food or access to water. They all appeared scared and depressed, and those away from the window had no natural light.

The floor of the outhouse was inches deep in compacted faeces. Conditions darkened further inside – where there were some dogs the inspectors had not seen at first.

One dog in particular, a brown-and-white collie-type called Billy, was very subdued and forlorn. He had a vacant look in his eyes and, despite the presence of so many

people, was withdrawn and still. The vet said she had never seen a dog so sad; his coat was filthy, his paws were soaked with urine and both of his eyes were infected.

Health issues

Seven more dogs were found in a van parked outside – without food, water, bedding or protection from extremes of temperature.

Yet more dogs were found in crates inside the house, including a West Highland terrier-cross with her six newborn puppies. Many of the dogs had obvious issues including injuries, infections, lice infestations and dental problems. Two cats were found hiding inside a pen that was covered in piles of faeces and two very agitated parrots were found in a filthy cage with no water.

Altogether there were 40 animals at the premises – the owner relinquished 31, saying she no longer wanted them. All of the animals were taken into possession by the police and removed.

The dogs in the worst state of health were cocker spaniel-type Bobby, collie-cross Billy and Labrador-type Shadow. The vet

put them to sleep on humane grounds. She commented she had not seen conditions as appalling as this, or on such a scale, in her 30 years of practice.

High level of suffering

The district judge told the defendant: “It is clear to me that the level of suffering is at the high end ... it is an aggravating feature that you are an experienced keeper and you would have known what was required.”

Inspector Kirkham said: “The animals were living in their own little prison cells – it was absolutely horrific and not something you expect to see in this day and age.” Inspector McAdam added: “The whole way these dogs were being forced to live was nothing less than appalling. Billy’s condition was so poor that the vet was reduced to tears.”

The dogs that could be saved were rehabilitated at RSPCA Radcliffe Animal Centre. They have all gone on to find loving new homes.

Contrasting states: (Above from left) Billy when he was first found and another collie, Freda, after she recovered in RSPCA care.

Sky's story

Sky, a six-month-old brindle lurcher, had her hind leg fractured on two separate occasions by a man with a history of violent outbursts.

The man who owned Sky at the time of the first fracture claimed the lurcher's injury came about after he unscrewed a shelf and part of it fell onto her. He failed to take Sky to a vet and her injuries were left for a period of time before treatment was sought. As such, the bones in her leg had started to re-heal but had misaligned, causing her further pain.

The man's ex-girlfriend took over ownership of Sky and noticed something was wrong with her pet. She took Sky to a vet, where the dog needed surgery to re-break the bones and pins were used to fix her leg.

Just two months later the defendant, while drunk, smashed a window to get into Sky's owner's house in the early hours of the morning. He ran up the stairs in an "excited state" looking for his ex-girlfriend and Sky jumped up at him. He picked Sky up by the scruff of her neck and threw her. She hit a wall and the railings of a cot and fell, crying and whimpering. Her right hind leg was floppy and swollen with a noticeable break. The defendant had admitted at the time

that he knew Sky's leg was broken and had said to her owner: "I'll fix that."

Amputated leg

The incident was reported to the RSPCA and RSPCA Inspector Jillian Dickinson collected Sky and took her to a veterinary surgery, where she was given pain relief and fluids. The man's violent outburst had fractured the tibia and fibula in the lurcher's right hind leg. One of the pins from her previous operation was dislodged, causing inflammation. The vet decided Sky's leg must be amputated.

The man repeatedly denied that he threw Sky against a wall and broke her leg, yet was unable to provide a reasonable explanation for her injuries.

New life, new home

Despite only having three legs Sky, now renamed Roo, is making the most of life in her loving new home after being rehomed from RSPCA Hull & East Riding Branch.

Her new owner says: "Sky's personality shone every time we passed her kennel – all we saw was a blur of a tail wagging! After all she had been through all she wanted was attention and love – and my husband and I were more than happy to oblige.

"We decided to change her name to Roo, as from behind she hops just like a kangaroo."

Inspector Dickinson said she was thrilled to see Roo enjoying a new lease of life: "Cases like Roo's really highlight the importance of the RSPCA in rescuing, rehabilitating and rehoming some of the most abused animals you can imagine," she said.

"Not only were we able to prosecute the man responsible for hurting Roo, but his ban means other animals he may have owned should be safe from harm. I'm so thrilled that Roo is now part of a family, with the chance to live a life full of love."



Victim of violence: Sky's leg had to be amputated after being broken twice by the defendant.



Photo: New owner

CASE SUMMARY

Investigating officer:

RSPCA Inspector Jillian Dickinson

Defendant:

Male 38, unemployed

Offences:

Animal Welfare Act 2006 s4

Pleas:

Guilty

Convictions:


Two

Sentence:

Disqualified from keeping all animals for five years; 18 weeks' imprisonment suspended for two years; £150 costs.

Prosecuted by:

Freeman Brown Solicitors



“
...a sustained
campaign of
injuries tantamount
to torture
”

District judge

Marley's story

Proving an owner has deliberately injured their pet can be difficult. However, in this case, a cat was caused a series of traumatic injuries in such a short time that animal abuse was suspected – and proven.

Marley, a British blue, was taken to a vet four times in four weeks. The vet became concerned about the nature and frequency of the injuries, some of which did not fit the owners' explanations.

The first time Marley was brought in, his owners claimed he had become trapped between a kitchen cupboard and a fridge, injuring his eye and tail, which was so badly damaged it had to be amputated. Five days later they brought him back, and vets found his liver and stomach had been displaced, he had a collapsed lung, two fractured ribs and a lacerated spleen. He was treated and went home when he was well enough, however, a follow-up appointment was not kept.

Nine days later Marley was returned to the vets' with a new eye injury. The owners claimed it must have happened at the time of the original injury – even suggesting they were angry it had not been noticed before.

Suspicious aroused

A week later the owners took Marley to a different vet, who noted that his left eye was now twice normal size (later it had to be removed) and he had a suspected broken hind leg. The owners claimed Marley had been hit by a car.

Once Marley's full medical histories from the

different veterinary practices were viewed together it was clear he had received an unusually high number of traumatic injuries in a short time, and the RSPCA was contacted. Police took Marley into possession and he was transferred to RSPCA Harmsworth Animal Hospital.

Marley was examined again by a veterinary expert, who discovered further fractures to his ribs in various stages of healing, suggesting that he was injured on more than one occasion and that his injuries were not consistent with his owners' explanations.

Attention seeking

The veterinary expert concluded that all Marley's injuries were non-accidental and intentionally caused in an ongoing, deliberate pattern of abuse, presumably by one or more members of the family. The expert suspected a case of Munchausen syndrome by proxy, which is the infliction of injury or illness on an animal, child or dependent adult by a caregiver, to gain the attention they crave from medical or veterinary staff.

In summing up, the district judge said: "The road traffic accident is a sham put forward by both of you to cover the trauma to the cat which resulted in a fractured leg ... you both caused Marley to suffer a sustained campaign of injuries tantamount to torture."

Victim of torture: Marley recovered in RSPCA care and has been rehomed with loving new owners.

CASE SUMMARY

Investigating officer:
RSPCA Inspector Samantha Durrant

Defendants:
Male 31, warehouse worker;
female 31, unemployed

Offences:
Animal Welfare Act 2006 s4

Pleas:
Not guilty

Convictions:
Two

Sentences:
Both disqualified from keeping all animals for life; 150 hours' unpaid work each; £600 costs each.

Prosecuted by:
Male & Wagland Solicitors

Veterinary expertise



In our work bringing animal abusers to justice the RSPCA frequently relies on expert witnesses, such as veterinary surgeon Mandy Stone from the RSPCA's Bristol Clinic.

Here, Mandy describes the process she follows when gathering evidence and preparing to provide her expert opinion for an RSPCA prosecution, such as this case, in which five terriers had been kept muzzled for so long they had developed terrible sores.

Welfare first

"When an RSPCA inspector brings an animal to me that may have been subject to neglect or abuse, my role as a vet is two-fold.

First and foremost, I need to concentrate on doing what any vet would when presented with an animal that is ill, injured or otherwise in distress. I assess the animal's condition and provide the necessary veterinary care and treatment.

The animal's immediate welfare needs always come first, but while I carry out my examination and treatment, I will also be thinking about my other role – as a veterinary expert witness. The RSPCA inspector will investigate the case to

determine whether there have been offences under the Animal Welfare Act, and it is important that, during my initial checks and clinical investigation, I meticulously collect and record evidence. Later I may be asked to provide an expert report, giving facts and opinion that will help the RSPCA decide how to proceed with the case, and which ultimately may be presented in court.

Kept muzzled

My first knowledge of this particular case was when RSPCA Inspector Miranda Albinson called to say she was on her way to the clinic with five Jack Russell terriers that needed examination. She told me they had been found living in an unsuitable environment; allegedly the owner kept all the dogs muzzled most of the time. She said the dogs had sores on their faces that she needed me to look at.

While I waited for the dogs, I prepared the paperwork. Clinical records for RSPCA casework have to be especially detailed, and

it is essential that each animal is properly identified with an exhibit number and thoroughly examined from top to toe. Everything needs to be noted down, even findings that are normal. In my practice we use a special template to make sure nothing gets missed.

When the five Jack Russells arrived, I set about assessing them, with a well-trained veterinary nurse to assist. The dogs were photographed, scanned for microchips, and a note made of their names, ages, coat colours and genders. Each dog was weighed and also 'body condition scored' – where a recognised scale is used to describe how thin or fat the animal is – as this is more helpful than the weight alone. I then made a thorough examination of each dog, carefully writing down my findings.

Skin lesions and infection

My most notable observation was that all the dogs had skin lesions (sores) on their muzzles. There was inflammation and hair



AFTER



CASE SUMMARY

Investigating officer:

RSPCA Inspector Miranda Albinson

Defendant:

Female 56, unemployed

Offences:

Animal Welfare Act 2006 s4 and s9

Pleas:

Guilty

Convictions:

Four

Sentence:

Disqualified from keeping dogs for five years; £100 fine; £100 costs.

Prosecuted by:

Blake Morgan Solicitors

Photo: New owner

loss on the chin, nose and lips, and there was a clear mark worn into the hair around the back of the head. These lesions exactly coincided with where a muzzle would sit on a dog's face and one of the dogs, called Piglet, was especially badly affected, with a severe skin infection all the way around her nose.

Inspector Albinson showed me the muzzles that had been recently removed – they were dirty and smelly, with hair and grime caked on the insides. It was clear to me that the dogs' lesions were associated with extended and inappropriate wearing of the muzzles, and there was no doubt in my mind that for Piglet, the dog with the open sores, it would have been exceedingly painful to have the muzzle rubbing against her wounds all the time.

I cleaned the dogs' wounds, prescribed pain relief and antibiotic cream and asked the nurse to settle all five into their hospital kennels. I was then able to turn my attention to Inspector Albinson, who showed me some photographs of where the dogs had been living – a filthy, debris-filled environment, heavily contaminated with faeces and urine. I agreed with her that it was unacceptable and provided a veterinary certificate which allowed her to arrange for the dogs to be 'taken into possession' under the Animal Welfare Act. This meant that the dogs could be legally cared for by the RSPCA while the case was investigated.

Expert report

A couple of weeks later, all the dogs' facial lesions were much improved, and Inspector Albinson asked me to write an expert witness statement for her case file. As well as reporting everything I had found during the clinical examinations, she needed my opinion on:

- Whether or not the dogs had suffered and, if so, how?
- Whether that suffering could reasonably have been avoided or reduced and, if so, how?
- Whether the needs of the dogs had been met to the extent required by good practice and, if not, in what respect?

When writing the report it is important that I understand my role. Crucially, I am an independent witness, not acting for the prosecution or the defence, but providing information for the court. It is also not up to me to decide whether an offence has taken place or who the perpetrator is. It is simply my job to present the veterinary facts and use my expertise to give an opinion on suffering, basing that view on sound evidence.

After careful consideration, I wrote my report giving my opinion that poor Piglet had been caused suffering due to the painful nature of the skin lesions she sustained. Obviously that suffering could have been avoided if the owner hadn't kept her muzzled for extended periods. I also stated that none of the dogs were having their welfare needs met. The squalid environment and prolonged use of muzzles was clearly far from good practice.

Rewarding job

My friends often ask me how I cope with doing RSPCA work and countless times I hear the phrase "I couldn't do what you do – I'd find it too distressing". My answer is always the same: I do witness some truly awful things, but at least by working with the RSPCA I can be part of changing animals' lives for the better.

Seeing an animal who has been subjected to terrible suffering is utterly heartbreaking, but watching that same animal recover day by day and go on to a happy, pain-free future is without doubt the most satisfying aspect of my job. And by playing my part in prosecution cases as a witness, I can help ensure justice is done, and contribute to a process that often results in convicted abusers being banned from keeping pets. And that's what it's all about – being part of something that makes a difference."

...that's what it's all about – being part of something that makes a difference

Mandy Stone MRCVS

Painful sores: Terriers Milo and Piglet (left), Bobby (above, after recovery), and two others, Rosie and Muffy, had worn muzzles for most of their lives. Their owner would accept no wrongdoing.

Scamp's story



Of the many hundreds of animal cruelty cases detected each year, every so often there is an incident so atrocious it can shock even those who frequently deal with savage acts of cruelty. This particularly harrowing case from 2017 demonstrates the value of lifetime disqualification orders in protecting animals from those who may abuse them in the future.

DIY euthanasia

A small terrier-type dog, called Scamp, had been a faithful companion to his owner for 16 years. He was nearing the end of his life and was suffering from a number of ailments. However, his owner, instead of arranging to have him put to sleep humanely, tried to end the old dog's life himself with an accomplice – in an horrific manner.

Scamp's bleak tale came to the attention of the RSPCA after a couple walking their dogs in remote woodland heard a noise coming from the ivy-covered ground. After parting the leaves they uncovered the fur of a dog's face. Two local workmen helped them dig further until – to everyone's horror – they uncovered a dog who had been buried in a shallow pit. The dog was unresponsive but alive and something metallic was protruding from his head.

Five-inch nail

The dog was taken to a nearby veterinary practice and X-rays were taken, which revealed that a five-inch nail had been driven centrally through his skull, right up to the head of the nail. The vet euthanased Scamp to end his tremendous suffering. Both the veterinary practice and the witnesses contacted the RSPCA.

RSPCA Inspector Nick Jones began an investigation and an urgent appeal for information was launched by the RSPCA

press office. Local press articles appeared online and on the TV news early that evening and the subsequent response was overwhelming – Inspector Jones received many calls from the public offering information. The two men responsible surrendered themselves at a police station.

"Jumbled" mind

Both men made full confessions when interviewed. Scamp's owner said his dog had gone blind a few months previously.

He thought he could not afford to have his dog put to sleep by a vet because he believed it would cost £300, so he decided to do it himself. He said he had seen a television documentary where an animal was put down with a bolt gun* so he thought he would use a hammer and nail. He had been planning the act for days and his friend agreed to accompany him. When asked why he didn't take Scamp to the PDSA as he had his previous dog, he said his mind was "jumbled".

The owner said he sat Scamp down, took a five-inch nail and hammered it into the dog's head. He admitted to using considerable force and said he thought Scamp had "gone". The dog was then buried alive.

A post-mortem examination revealed Scamp had a serious skull fracture, the result of a blow or blows with a hammer, and was hit at least six times.

It is beyond doubt that Scamp suffered both from his old-age related ailments – for which no veterinary treatment had been sought – and from the brutal deed that was his owner's attempt to 'end' his suffering.

In sentencing, magistrates at Teesside Magistrates' Court said this was a barbaric act, perpetrated upon a defenceless dog, causing untold suffering. Shouts of "justice"

could be heard from the packed public gallery when immediate prison terms were announced.

Inspector Jones said: "It is very hard to think about what Scamp went through. It has been a truly harrowing case for everyone involved. The only small consolation is that Scamp's final moments were spent being comforted by the kind strangers who found him, and the wonderful staff at the vets!"

**Bolt guns should only be used to stun animals before slaughter.*

It has been a truly harrowing case for everyone involved

RSPCA Inspector Nick Jones

CASE SUMMARY

Investigating officer:
RSPCA Inspector Nick Jones

Defendants:
Male 60, unemployed; male 59, unemployed

Offences:
Animal Welfare Act 2006 s4; Magistrates' Court Act 1980 s44

Pleas:
Guilty

Convictions:
Three

Sentences:
Both disqualified from keeping all animals for life; four months' imprisonment each; £100 costs each.

Prosecuted by:
Tilly Bailey & Irvine Solicitors



Police find beaten dog

The RSPCA is a non-statutory organisation and relies heavily on police assistance where the co-operation of the public is not forthcoming. We appreciate the ever-increasing demands made on the police and value their help very highly, as we also value the help we receive from other animal welfare charities. Partnership working between the police, the PDSA and the RSPCA proved beneficial for all parties in the following case.

Boarded up

Police attended an address after reports that a dog could be heard crying as if being violently beaten. When police asked to see the dog the owner claimed she had “run off down the garden”. This was so overgrown with brambles it seemed unlikely so officers persisted and eventually discovered a young bull-terrier, covered in fresh bruising. The dog, called Lucky, had been hidden; boarded up into a small space in the kitchen behind the washing machine. Kitchen items had been stacked around her in an attempt to prevent police finding her.

The man was arrested and a police dog unit transferred Lucky to a PDSA clinic for immediate treatment and pain relief.

Violent beating

A vet at the PDSA found Lucky was suffering from shock. Puncture wounds

were found on her back and eye, caused by a sharp object. It was clear Lucky had been subjected to a violent and brutal attack; both her eyes were closed as a result of being repeatedly punched in the face and her muzzle was badly swollen. She was very underweight with her ribs, spine and hip bones visible. Older wounds were also found on her face, paws and back.

RSPCA Inspector Steve Morrall took Lucky to RSPCA Newbrook Farm Animal Hospital, where she was given further pain relief and treatment to help reduce her swellings.

Inspector Morrall took photos of her, which were used during interview as Lucky’s owner did not admit the offence until he was faced with photographic evidence. He then admitted he had used a tent pole to hit her as he was angry after she urinated on a bag of marijuana.

After several days Lucky’s swellings had subsided, she had gained weight and was able to walk without lameness.

Grateful to police

Inspector Morrall thanked the police officers for their thorough investigation at the scene, which had prevented Lucky from being subjected to further violence and suffering. Their actions in seeking immediate veterinary attention for Lucky resulted in early relief of the pain she was enduring.

The case was eventually proven in the defendant’s absence. One of the original police officers was present in court for the sentencing hearing, and said he was very pleased with the outcome.

CASE SUMMARY

Investigating officer:
RSPCA Inspector Steve Morrall

Defendant:
Male 54, unemployed

Offences:
Animal Welfare Act 2006 s4 and s9

Pleas:
Found guilty in absence

Convictions:
Two

Sentence:
Disqualified from keeping all animals for life; 12 weeks’ immediate imprisonment.

Prosecuted by:
Nicholas Sutton Solicitors

PUPPY TRADING

Illegal puppy trading is rife across England and Wales and is something the RSPCA is working extremely hard to combat. Very young puppies are imported illegally, from Ireland and other European countries, and sold to people who are deceived into thinking the puppies, who are often unwell, were home bred. The RSPCA has recently appointed and trained 15 puppy trade officers to help tackle this ever-growing trade of fraudsters selling puppies, which is happening on an alarming scale.

The following is an example of the type of case being prosecuted by the RSPCA.



The fraud was sophisticated ... there was a large number of victims

District judge





Longest ever custodial sentence

The RSPCA was alerted to this particular scam after receiving a flurry of calls from unhappy people who had bought puppies only for them to quickly fall ill and, in some cases, die.

The RSPCA's early enquiries established that a lot of money was changing hands. The defendant was conning families out of thousands of pounds by giving the impression they were getting home-bred Pomeranian puppies, which he was selling for sums ranging from £550 to £750. Unsuspecting buyers thought they were purchasing well-bred pure breeds, yet the puppies were riddled with health problems, sick and dying.

Many of the young dogs were falling ill shortly after purchase, forcing buyers to pay thousands of pounds in vet bills in an attempt to save their pets' lives. As well as the financial loss, there was a painful emotional cost to the buyers and their families.

The setup

An accomplice would place adverts in newspapers and online to attract buyers, while the defendant would talk to the buyers when they came to view the animals. He would present buyers with convincing paperwork and lead them to believe he had bred the puppies himself.

Police and RSPCA inspectors executed a warrant and 10 puppies were removed from the man's care. He told officers all the dogs were his and claimed he had bred the puppies himself. He said he had owned the adult dogs for "years", however, his explanations were inconsistent.

Seventeen dogs and puppies were found housed in three UPVC kennel units. RSPCA Inspector Jayne Bashford was struck at how weak and lethargic the Pomeranian puppies

appeared: one had heavily matted fur and a sore groin area; another had weepy eyes; and another was weak and lethargic with a noticeable tremor. Some were in obvious need of veterinary treatment.

False representation

One dog was an adult Yorkshire terrier, called Mia. The man said he had bred five Yorkshire terrier puppies from Mia and had bought two Pomeranian puppies. He said he would have four or five litters a year. Inspector Bashford examined Mia's abdomen area and noted she had no sign of having a recent litter, her stomach was tight and flat and her teats were very small.

All the animals were examined by an independent vet, who confirmed four puppies were caused to suffer unnecessarily and none of the puppies sold had had their needs met. The animals were passed into RSPCA care and three puppies were taken to a vet for treatment, although one sadly died.

Inspectors took victim impact statements from the buyers. One victim told the court she had paid the defendant £750 for a puppy for her twin daughters. The whole family was devastated when the puppy died of parvovirus. She had paid more than £5,000 in vet fees to try to save their pet.

Public misled

The man pleaded guilty to 13 fraud offences, seven offences of causing unnecessary suffering to animals and one offence of failing to take reasonable steps to ensure animals were properly cared for.

CASE SUMMARY

Investigating officer:

RSPCA Inspector Jayne Bashford

Defendant:

Male 37, unemployed

Offences:

Animal Welfare Act 2006 s4 and s9; Fraud Act 2006 s2

Pleas:

Guilty

Convictions:

21

Sentence:

Disqualified from keeping all animals for life; 33 months' imprisonment.

Prosecuted by:

Wains Solicitors

The district judge said: "You were misleading the public as to the health and welfare of the pups you were selling. Your job was to make sure the pups were sold and get some money. The victims lost money and their pet. The animals suffered.

"The fraud was sophisticated – there was significant planning. It went on over a sustained period. There was a large number of victims."

The district judge commented that the trading of puppies was a lucrative trade, the adverts placed had been misleading as to the health and the welfare of the puppies being sold. The victims all had family members who were also affected. The district judge added that people and animals suffered as a result of the criminal behaviour and the defendant's wish for money.

By charging the defendant with fraud, an offence that carries a significantly longer custodial sentence than offences under the Animal Welfare Act 2006, this particular case resulted in the longest custodial sentence handed down in the RSPCA's prosecution history. A second defendant connected to the case received a caution.

Mia and all the other dogs and puppies were fostered then successfully rehomed.

Misery for sale: (*Opposite*) The puppies were weak and lethargic. (*Top*) UPVC 'pods' were found full of dogs.

The impact on buyers

The illegal puppy trade always has a negative impact on the animals' welfare. Many of the puppies involved are sold when they are underage or in poor health, acquired from puppy farms before being sold on by traders for a profit.



My family has been left heartbroken by this, especially my daughter

Puppy buyer



In this case, the traders were a man and a woman who sold hundreds of puppies, of many different kinds, for profit. They placed an online advertisement for West Highland terrier puppies knowing the puppies had health problems, yet continued to sell them.

As well as compromising the puppies' welfare, this trade has a heartbreaking impact on the people who buy them. Buyers suffer deeply, both emotionally and financially, as a result of being sold sick animals.

Statements gathered by the RSPCA from people who were victims in this case demonstrate common themes: some buyers did have concerns about the sellers' setup, or identified that puppies were not in the best of health, but there was a desire to 'rescue' the puppy; others bowed to family pressure to buy a puppy there and then, as people 'fall in love' with puppies once they are seen and handled.

As well as highlighting the plight of the puppies involved in this case, these stories show the impact on the lives of the defendants' human victims.

Pippin

One buyer had seen a BBC *Watchdog* programme about puppy farms. When he arrived at the sellers' premises he saw a number of outbuildings, and it did occur to him that they could be full of puppies. He also noticed one of the puppies was passing loose stools, and mentioned to the seller that he had seen the *Watchdog* programme to gauge her reaction. She said it was terrible what some people do for money, seeming very convincing, calm and composed. Once his son had picked the puppy he wanted, the buyer tried to push his doubts away.

He went outside to his car to get the money, listening for the sound of dogs barking from the outbuildings – to help him decide whether it was a puppy farm – but he only heard one bark. The woman provided a receipt, some information about feeding and the puppy's vaccination details. The buyer asked if the vet stamp was a local veterinary practice, and the seller said it was "up the road" – it was only later he realised it was not. He was also given a piece of paper, which the seller said was the puppy's five-generation pedigree details.

The family called their new puppy Pippin and at first she seemed bright and playful. She ate and drank normally, but they noticed her stools remained loose and a few days later there was blood in them. They took Pippin for treatment and the vet found a heart murmur. A few days later Pippin started to cough, and the cough worsened.



With Pippin lethargic and her health going downhill, the reality of losing her dawned on the family. They took Pippin to a cardiologist, where they were told she would need surgery, costing around £3,000. The buyer decided he would find the money for the surgery somehow – Pippin was now part of the family.

The next day Pippin had no interest in eating or drinking, and seemed very tired. Later that day, the buyer's 11-year-old daughter found Pippin dead on her bed. The buyer tried ringing the seller but there was no reply.

After the initial shock of losing Pippin the buyer contacted the RSPCA to report his suspicions, expressing his disgust, anger and disbelief. He said: "My family has been left heartbroken by this, especially my daughter."

Riley

Another unsuspecting buyer, who felt she had finally got over the loss of her previous dog, Milly, thought the time was right for another dog. She too saw the online advertisement for West Highland puppies.

When she arrived at the sellers' premises she was shown into the kitchen, where the puppy was on a cushion, quiet and lethargic, with discoloured fur and smelling bad. She thought something wasn't right, but felt she couldn't leave the puppy, so agreed to buy her.

During the journey home she noticed the puppy, now called Riley, smelled very strongly of urine and faeces and when they got home Riley passed something very runny, brown and bloody. She took Riley straight to a vet.

Riley was tested for parvovirus and the result was positive. It was agreed the kindest thing to do was to put her to sleep. Distraught, the buyer stayed with Riley while this was done.

The buyer was extremely upset by the ordeal of Riley's death. Her son was distressed too, as he had been looking forward to having a puppy after the loss of Milly.

Bella and Tilly

A third unsuspecting buyer bought two West Highland terrier puppies from the woman, despite noticing their fur was yellow and they smelled bad. She named them Bella and Tilly.

Three days after purchase, the family came down in the morning and found Bella had collapsed. They took her straight to the vet, who advised that her prospects were poor. Later, the vet rang to ask permission to put Bella humanely to sleep, but in fact the puppy died

before this could happen. Tilly was given antibiotics, however, she too soon developed similar symptoms and was put to sleep before she suffered as Bella had.

The buyer was heartbroken, devastated after recently losing her terrier, Holly. She regretted rushing in to buy the puppies and, on reflection, knew she should have done more checks, but actually she was still grieving for Holly.

PUPPY TRADING



Urgent investigation

More and more witness statements were gathered, describing people's harrowing experiences.

There had been concerns that the defendants would quickly move on and, as they were prone to using false names and telephone numbers – no doubt to throw buyers off the scent – RSPCA Inspector Herchy Boal launched an urgent investigation.

Police executed a warrant at the farm where the sellers were living and they were arrested. Thirty-four adult dogs and three puppies were found being kept in poor conditions; deprived of stimulation and fed an inadequate diet. Some were found with empty food and water bowls, lying in their own bloody faeces and others were cold and being kept in total darkness. A noticeboard bore instructions for staff on how the puppies should be treated, including a strict instruction not to let the dogs bark – if they

did, they were to have water squirted at them.

Of the adult dogs seized, nine were pregnant and eight required immediate veterinary treatment. Twenty-seven puppies were later born in RSPCA care. The final total was 64 dogs, 55 of which were fostered during the investigation.

There was a great deal of public interest in this case, with reporters producing daily updates from Birmingham Magistrates' Court. Indicative of the sheer amount of money this illegal trade generates, the female defendant was able to pay the £15,000 costs in full, straight away.

All the dogs were signed over into RSPCA care to enable them to be rehomed when they were ready.

Cold, sick and hungry: Thirty-four dogs, including the Yorkshire terrier above, were living in dire conditions.

CASE SUMMARY

Investigating officer:
RSPCA Inspector Herchy Boal

Defendants:
Male 51, driver; female 43, cleaning business proprietor

Offences:
Animal Welfare Act 2006 s4 and s9

Pleas:
Not guilty

Convictions:
18

Sentences:
Both disqualified from keeping dogs for life. Male: six months' imprisonment; £30,000 costs. Female: 22 weeks' imprisonment suspended for 12 months; £15,000 costs.

Prosecuted by:
Pickering & Butters Solicitors



Photo: Susan Worsfold/RSPCA

Help for horses

Neglected and dying horses scattered across towns and the countryside are again becoming a serious issue for the RSPCA, following an increase in the numbers taken into care during 2017. Owners who struggle to meet their horses' needs should seek advice: a vet can advise regarding health and welfare; and equine charities may be able to offer assistance and practical help.

A man who was thought to own more than 30 horses, kept at various locations in the south of England, was allowing them to breed indiscriminately. Many attempts had been made to educate him, however, he repeatedly ignored all advice.

Growing problem

RSPCA Inspector Penny Baker was monitoring the horses and noticed that one mare in particular needed to see a vet. The owner told her he would call the vet, however eight days later the horses were worryingly quiet, so she left an advice notice. The man's veterinary practice confirmed he had not made any appointments, so Inspector Baker visited again, along with a vet.

They found one filly with a lame front leg and an untreated abscess and two mares who were very underweight. Their water supply was not fresh or clean and the grass available was scant. There was straw, but no hay or evidence of supplementary hard

feed. After many attempts to catch the horses failed it became clear they were not regularly handled.

The following day, a corral was set up to safely catch the horses, who were all found to have parasites. The vet confirmed the filly was suffering and should be removed, along with her mother and two more horses that were likely to suffer. Police took them into possession.

No remorse

When interviewed, the owner would not accept any wrongdoing. He claimed he fed the horses every night, and trimmed their hooves himself when he "felt they needed it".

The RSPCA, having dealt with many of this man's dying horses in the past, sought a disqualification order to prevent any more from suffering.

The horses made vast improvements whilst in RSPCA care. They gained weight and became used to being handled, and will be rehomed.

CASE SUMMARY

Investigating officer:
RSPCA Inspector Penny Baker

Defendant:
Male 66, builder

Offences:
Animal Welfare Act 2006 s9

Pleas:
Guilty

Convictions:
Three

Sentence:
Disqualified from keeping horses for life; eight-week curfew; £300 costs.

Prosecuted by:
Trethowans Solicitors

Serious animal cruelty

This case arose after the police and the RSPCA received a number of reports about disturbing images, videos and comments relating to hare coursing and cock fighting being posted on Facebook. The extensive postings revealed the scale of the youths' interest.

Bragging on Facebook

The RSPCA's Special Operations Unit (SOU) began an investigation, capturing images and videos from the youths' Facebook profiles. There were six videos depicting cockfighting: one offender had posted a photo on his Facebook page with the comment "coursing today"; with photographs depicting two of the defendants with a dog and a dead hare; and another video depicting a brindle dog with a squealing hare in his mouth. The youths were praising and encouraging the dog and showing off to others present. Subsequent comments posted showed their bravado and the pleasure they derived from the killings. The location of many of the offences could also be identified.

The imagery was conclusive enough to enable police to apply for warrants to enter and search the premises occupied by the youths, accompanied by members of RSPCA SOU.

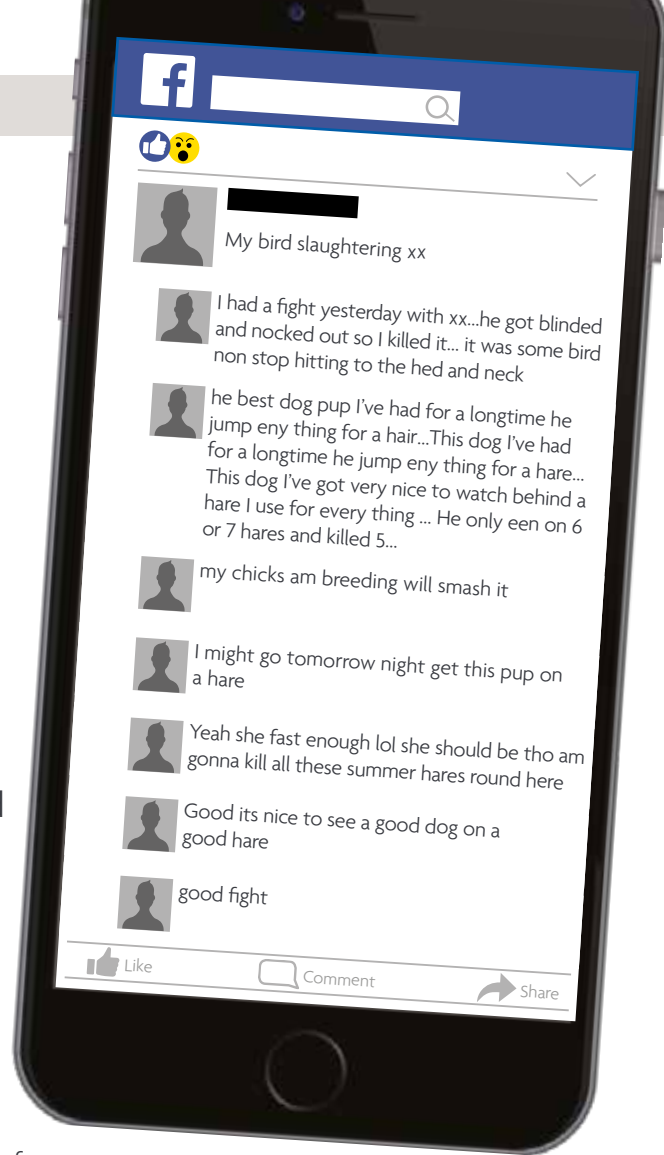
Cockfighting setup

A number of cockerels were found in cages in a corrugated iron shed. It was apparent the birds were being kept with an intention to 'fight' them. Four cockerels, which appeared to be of a 'fighting' type, were seized. All had their spurs trimmed and were dubbed (comb and wattles removed). One cockerel was tethered to a heavy object by a cord around his leg, near to numerous hazards such as wire, nails and bits of metal building materials. He had a leg wound and a

parasite infection. Another had an infection between his toes, and a third was so thirsty he drank water continuously for 15 minutes. Two of the birds were also suffering from upper respiratory tract disease.

Paraphernalia associated with cock fighting was also recovered: weighing scales; wooden cockerel travel cases; animal medication, including some bottles of liquid which read 'for veterinary use only'; and needles.

The youths were all aged 16 or under at the time of the offences and it is believed that their parents were fully aware of what they were doing.



CASE SUMMARY

Investigating officer:

RSPCA Inspector Pippa Boyd

Defendants:

Defendant 1: Male 16; defendant 2: male 15; defendant 3: male 16

Offences:

Animal Welfare Act 2006 s4 and s8;
Hunting Act 2004 s1

Pleas:

Defendants 1 and 3: Guilty to all offences

Defendant 2: Not guilty to fighting offences; guilty to hunting offences

Convictions:

18

Sentences:

Defendant 1: disqualified from keeping all animals for three years; 11-month youth referral order; £750 costs.

Defendant 2: disqualified from keeping poultry for two years; one-year youth rehabilitation order; 20-day activity requirement; £750 costs.

Defendant 3: £100 fine; £500 costs.

Prosecuted by:

Scott Duff & Co Solicitors



Sick pleasure

The attitude the youths displayed was of real concern. Not one of them showed remorse, in fact one offender appeared to enjoy watching the videos when being interviewed and was often seen smirking. None of the three was able to provide a credible explanation for the material and all three gave mainly 'no comment' interviews.

The risk of reoffending for all suspects was extremely high and the severe nature of their offending – among the most serious offences contrary to the Animal Welfare Act 2006 – could be expected to continue, therefore a prosecution was necessary both as a deterrent and to protect animals in the future.

The youths appeared before Carlisle Youth Court and pleaded guilty to 16 offences. The youngest defendant, who had pleaded not guilty, was also convicted of two offences of causing animals to fight. The district judge commented that one defendant's attitude to keeping animals was "disgusting"; and he appeared to take pleasure in dogs killing hares.

Visible evidence: (Above) A dog used for hare coursing. (Below) Stills from the video.



Intervening to improve animal welfare

The decision to prosecute a case is one that must not be taken lightly. There are occasions when a prosecution can be avoided, particularly if the welfare of the animals involved in the case can be assured.

The following is a case in which the RSPCA's intervention led to a significant improvement to the welfare of animals. It was resolved with a caution, following careful consideration and communication with the owner.

Uncooperative

A case file was submitted to the RSPCA Prosecutions Department about the poor conditions in which a large number of horses were being kept. When the RSPCA intervened the owner was uncooperative, making it clear she was not prepared to work with us as she had been advised not to.

During an interview with RSPCA Inspector Sarah Bagley, the owner made no comment in response to any of the questions asked. An interviewee is entitled to remain silent, but when someone chooses not to answer questions and fails to offer a reasonable explanation for what has happened, an alternative to prosecution – such as a caution – cannot be considered because there is no admission of guilt.

The owner wrote to the RSPCA to complain about what had happened. Through subsequent correspondence she began

to realise that the RSPCA will work with people in appropriate circumstances to improve animal welfare, and that by so doing she could achieve the result she was hoping for – to keep some of her horses.

Wrong impression

Once the owner realised that the impression she had been given of the RSPCA was wrong, her attitude changed completely. She explained that she had been struggling to cope with all the horses and was unable to meet all their needs after some of the people she relied on for help had left. She showed genuine remorse for what had happened to the horses.

Significant improvements to the standard of the owner's stables and yard were required to enable her to conform to Defra's Code of Practice for the Welfare of Horses.

These improvements were made, and the owner also agreed to meet RSPCA Superintendent Martin Marsh to discuss her horses' future and how their welfare needs could best be met. He, along with RSPCA Chief Inspector Beth Clements, an equine officer, visited her yard where she was able to show them the enormous improvements she had made. Ten horses were now housed in clean stables with fresh, good-quality hay and adequate bedding, and three more were in a large field with adequate grazing. The owner assured the officers that all the horses were exercised on a daily basis and there were now five other people available to help.

She was asked to make some further minor improvements to the yard area and the officers felt confident these would be made.

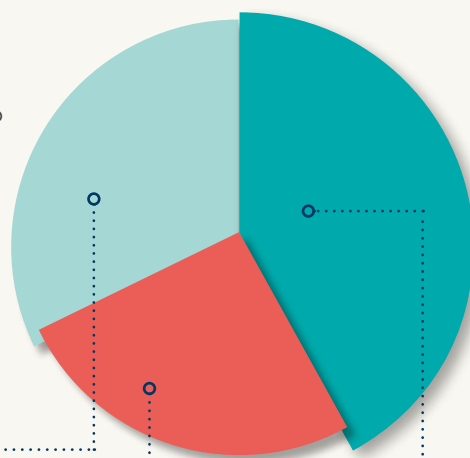
Cautions

A caution is a way in which the RSPCA can formally record offending behaviour that breaches animal welfare legislation. Cautions can be used as an alternative to prosecution when deemed to be in the public interest.

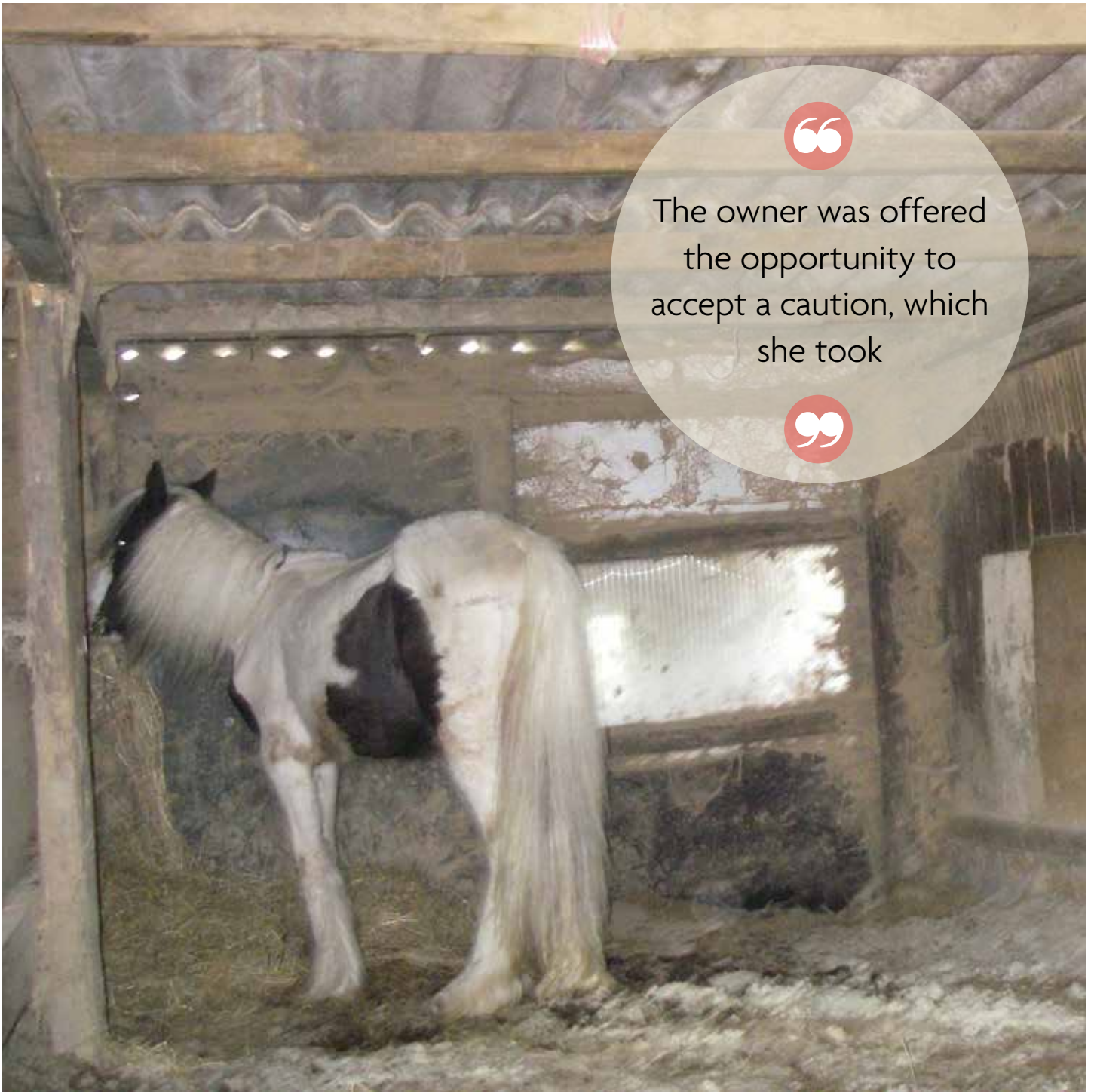
As seen here, 25 percent of offenders were cautioned in 2017, including the horse owner in this case.

31%
Suspects against whom
no proceedings brought

25%
Offenders cautioned



44%
Defendants
prosecuted



“
The owner was offered
the opportunity to
accept a caution, which
she took
”

New opinion

The owner commented her opinion of the RSPCA had completely changed; she was extremely grateful for the opportunity to show that she could change and make the necessary improvements.

She added that she realised her initial opinion of the RSPCA had been incorrect and she needed to communicate directly with us. She regretted her former negative attitude towards the RSPCA and gave assurances that she would continue to work with us. As a result of this cooperation she was able to keep some of her horses, whilst signing others over

to the RSPCA. This meant that numbers were manageable. She also agreed not to rescue any more horses.

As a result of this liaison with the RSPCA, the horse owner made a significant difference to the welfare of the animals in her care and ensured their future welfare. When the case was subject to further review the decision was made that it was no longer in the public interest to prosecute. The owner was offered the opportunity to accept a caution, which she took.

Stable relationship: The owner worked with the RSPCA to improve conditions at her yard (shown above) and meet the welfare needs of her 10 horses.

CASE SUMMARY

Investigating officer:
RSPCA Inspector Sarah Bagley

Defendant:
Female, 52, works with horses

Offences:
Animal Welfare Act 2006 s4 and s9



Crow set alight

The RSPCA recognises the need to keep young people out of the criminal justice system as far as possible. However, some offences are so serious that prosecution is necessary. The following case is one such example.

Phone footage

Two schoolboys, while in the vicinity of a school, came across a crow on the ground unable to fly. The older boy reached under a fence with a stick and moved the crow nearer to him, then set the bird alight with a lighter. The younger boy filmed the incident and can be heard laughing and egging the older boy on, saying the bird was “alive” as it was “blinking”. The older boy is also heard laughing and claiming he is “putting the bird out of its misery” as it cannot fly. They set fire to it twice, making sure it was well alight.

A vet viewed the footage, which came to the attention of the RSPCA via a schoolteacher, and confirmed the bird, a common crow, was incapacitated but showing obvious signs of life from its posture and head movement. She confirmed that the two boys knowingly caused severe unnecessary suffering – the bird would have been extremely stressed and terrorised from pain and fear.

Lack of remorse

RSPCA Inspector Teresa Potter interviewed

the youths, who did not show any genuine remorse for their actions. The older boy lied, saying that the crow was already dead, although this was clearly not the case.

The RSPCA considered there was a risk of reoffending. The offence is very serious: for an adult offender, magistrates’ court sentencing guidelines would suggest a starting point of 18 weeks’ custody. However, sentencing options for young offenders are more limited.

Given the serious nature of the offence and the attitude of the older boy, both at the time and afterwards, it was concluded that a prosecution would be a proportionate response.

Brutal behaviour

He was sentenced to a one-year youth referral order; this being the maximum and reserved for the most serious offences where a penalty short of custody is warranted. Inspector Potter said: “This was a brutal act against a defenceless bird, and a stark reminder to anyone who causes an animal to suffer unnecessarily that they are

committing an offence, which the RSPCA takes seriously.”

The younger boy was referred to the police youth offending service for consideration of dealing with him by way of a juvenile caution.

CASE SUMMARY

Investigating officer:

RSPCA Inspector Teresa Potter

Defendant:

Male 16, schoolboy; (second offender: male 14, schoolboy)

Offences:

Animal Welfare Act 2006 s4, Wildlife and Countryside Act 1981 s1

Plea:

Guilty

Convictions:

Two

Sentence:

Older boy: one-year youth referral order; £200 costs.

Younger boy: referred to police youth offending service.

Prosecuted by:

Wykes O’Donnell Williams Solicitors

This was a brutal act against a defenceless bird

RSPCA Inspector Teresa Potter

No proceedings

An example of our intervention with young people to improve their behaviour towards animals, this was a case of physical abuse inflicted upon a young puppy by a 12-year-old boy, which was filmed on a mobile phone.

The three-minute video showed the boy slapping the nine-week-old boxer puppy, called Crazy, many times in the face; lifting her up by her neck and by the skin on her back; pinning her down; and generally being heavy handed with her. She was heard to yelp four times. The incident only ended when the boy was interrupted by someone telling him to stop.

RSPCA Inspector Michelle Hare told the parents she wanted to take Crazy to be checked over by a vet but they refused, saying they would take her to their own vet. Inspector Hare explained that as Crazy was subject to an investigation this needed to be done by the RSPCA, but they still refused. The police attended and took Crazy into possession, and she was placed into foster care until our investigation was complete.

The veterinary examination thankfully revealed that Crazy was uninjured. However, when the vet viewed the video, she said the puppy would have been caused pain and suffering at the time.

The boy was interviewed with an appropriate adult present. He said he had been upset on the evening of the incident as his parents had been arguing. He made it clear he understood the correct way to handle a dog and that he knew his behaviour was wrong. When asked what his feelings were towards the puppy and did he like her, he replied: "She's my biggest friend in the world."

It was not in the public interest to proceed with any formal action (prosecution or youth caution) as the boy was only 12 years old. He and his parents agreed to participate in intervention work with the RSPCA's education team. It would seem the boy was witness to his parents' violent relationship and the RSPCA desired to keep him out of the criminal justice system.

Before Crazy was returned home the boy's parents were given a very strict warning

that if this type of behaviour was seen again they could find themselves responsible for any suffering caused, as well as their son. It was made clear to them the RSPCA would not give the family the same benefit of the doubt another time.

This case was referred to the local prevention and diversion team via the youth offending service.

CASE SUMMARY

Investigating officer:
RSPCA Inspector Michelle Hare

Defendant:
Male, 12, schoolboy



The youth offending service case worker reported:

"I have worked with X and he has engaged well. Both mum and X have been welcoming and accepting of intervention.

"I used RSPCA resources and the areas covered included: human and animal basic needs; identifying what is wrong (using examples of situations); identifying animals' feelings and relating to one of the five freedoms; and working on consequences.

"X has identified that he should have told his parents the dog was too much for him to handle on walks without support from either parent and he believes that he has learnt how to handle a similar situation in a better way should one arise in the future."

Operational statistics 2017

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

| | 2017 | 2016 | 2015 |
|---|-----------|-----------|-----------|
| Calls to 24-hour cruelty line | 1,037,435 | 1,153,744 | 1,118,495 |
| Complaints of alleged cruelty investigated | 141,760 | 149,604 | 143,004 |
| Welfare improvement advice and notices dispensed ^{1.1} | 76,460 | 84,725 | 81,475 |
| Cases reported to RSPCA Prosecutions Department ^{1.2} | 1,309 | 1,415 | 1,431 |
| Suspects reported to RSPCA Prosecutions Department | 1,776 | 2,040 | 2,008 |

1.1 Non statutory improvement notices in line with section 10 Animal Welfare Act 2006.

1.2 A case may concern one or multiple suspects.

Prosecution statistics 2017

All tables relate to England and Wales

Table 2: Prosecution outcomes ^{2.1}

| | 2017 | 2016 | 2015 |
|--|------------|-----------|-----------|
| Defendants convicted (juvenile offenders) | 696 (8) | 744 (5) | 796 (9) |
| Convictions secured in the magistrates' courts (juvenile offenders) | 1,492 (25) | 1,477 (7) | 1,781 (5) |
| Convictions following guilty pleas | 1,105 | 1,029 | 1,276 |
| Convictions following not guilty pleas and trials | 381 | 448 | 505 |
| Defendants with proceedings wholly discontinued or withdrawn by the RSPCA prior to or at trial ^{2.2} | 46 | 44 | 59 |
| Defendants with all offences dismissed after trial | 20 | 16 | 5 |
| <i>of which</i> | | | |
| Defendants dismissed – no case to answer ^{2.3} | 0 | 2 | 1 |
| Defendants with proceedings wholly discontinued by the CPS following a request to the DPP to intervene | 1 | 0 | 1 |
| Prosecution success rate ^{2.4} | 91.2% | 92.5% | 92.4% |
| Offenders cautioned ^{2.5} | 438 | 537 | 514 |
| Offences for which cautioned ^{2.5} | 614 | 719 | 672 |
| Suspects reported but not cautioned or prosecuted because evidential test and/or public interest tests not met | 531 | 680 | 707 |

2.1 Some outcomes from 2017 will relate to persons reported in previous years; some persons reported in 2017 will not have outcomes until 2018 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 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

| | 2017 | 2016 | 2015 |
|------------------------------------|-------|-------|-------|
| Animal Welfare Act 2006 | 1,434 | 1,401 | 1,733 |
| Criminal Law Act 1977 | 3 | 0 | 0 |
| Dangerous Dogs Act 1991 | 2 | 4 | 5 |
| Deer Act 1991 | 0 | 19 | 0 |
| Fraud Act 2006 | 14 | 1 | 0 |
| Hunting Act 2004 | 10 | 2 | 3 |
| Magistrates' Courts Act 1980 | 1 | 0 | 1 |
| Pests Act 1954 | 0 | 1 | 0 |
| Pet Animals Act 1951 | 0 | 1 | 2 |
| Protection of Animals Act 1911 | 0 | 1 | 2 |
| Protection of Badgers Act 1992 | 1 | 32 | 7 |
| Wildlife and Countryside Act 1981 | 26 | 12 | 27 |
| Wild Mammals (Protection) Act 1996 | 1 | 3 | 1 |

Table 4: Convictions for cruelty and neglect

| | 2017 | 2016 | 2015 |
|---|-------|-------|-------|
| Offences of cruelty contrary to the Animal Welfare Act 2006 | 1,434 | 1,401 | 1,733 |
| <i>comprising of</i> | | | |
| Contrary to section 4 (causing unnecessary suffering) | 821 | 832 | 882 |
| Contrary to section 5 (mutilation) | 0 | 1 | 2 |
| Contrary to section 6 (tail docking) | 0 | 0 | 2 |
| Contrary to section 7 (administration of poison) | 5 | 0 | 0 |
| Contrary to section 8 (fighting) | 15 | 9 | 32 |
| Contrary to section 9 (duty to ensure welfare) | 554 | 505 | 741 |
| Contrary to section 34 (9) (breach of disqualification) | 39 | 54 | 74 |

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

| | 2017 | 2016 | 2015 |
|--|------|------|------|
| Prison sentences imposed on individuals | 42 | 58 | 71 |
| Suspended prison sentences imposed on individuals | 179 | 148 | 165 |
| Community sentences imposed on individuals | 337 | 363 | 397 |
| Fines imposed on individuals | 206 | 196 | 160 |
| Conditional discharges imposed on individuals | 65 | 66 | 101 |
| Absolute discharges imposed on individuals | 0 | 1 | 3 |
| Disqualification orders imposed on individuals under the Animal Welfare Act 2006 | 602 | 628 | 656 |

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 ^{6.1}

| | 2017 | 2016 | 2015 |
|---|------|------|------|
| Total number of appeals | 32 | 54 | 40 |
| <i>of which</i> | | | |
| Appeals against conviction | 6 | 7 | 4 |
| Appeals against sentence | 16 | 37 | 26 |
| Appeals against both conviction and sentence | 10 | 10 | 10 |
| Appellants with all convictions quashed after appeal | 0 | 0 | 0 |
| 6.1 Number of appeals determined in court. | | | |
| Appeals abandoned by appellant prior to or at an appeal hearing | 12 | 12 | 13 |

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

| | 2017 | 2016 | 2015 |
|---------------|------|------|-------|
| Dogs | 882 | 858 | 1,061 |
| Equines | 225 | 215 | 180 |
| Cats | 188 | 187 | 346 |
| Small mammals | 78 | 83 | 131 |
| Domestic fowl | 52 | 26 | 54 |
| Rabbits | 48 | 63 | 78 |
| Exotics | 43 | 60 | 81 |
| Farm animals | 25 | 24 | 41 |
| Wild birds | 7 | 7 | 28 |

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

Table 8: Costs against the RSPCA

| | 2017 | 2016 | 2015 |
|---|------|------|------|
| 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}

| | 2017 | 2016 | 2015 |
|---|------|------|------|
| Cases referred to DPP for intervention | 2 | 8 | 4 |
| 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 | 1 |
| Cases in which proceedings were partially discontinued by the CPS following a request to the DPP to intervene | 1 | 0 | 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*.



Overwhelmingly, Wales is a nation of animal lovers. Almost half of all households own at least one pet* and animals touch the lives of so many each and every day in a positive way. As such, the sad, tragic and traumatic cases on the following pages will cause shock and disgust to many.

Throughout 2017, prosecutions remained a vitally important element of our frontline work in Wales. Yet again, it was a year that saw a small, dedicated band of RSPCA officers in Wales seek justice for mistreated animals in all corners of the country.

Deliberate cruelty is often a factor in the most difficult cases these officers deal with. This was certainly the case one cold winter morning when a head chef chose to bludgeon a feral cat, who had strayed into a hotel kitchen, to death. Unsurprisingly, the incident elicited a huge reaction from the public across Wales and, even though the cat's discarded body could not be found, RSPCA officers worked tirelessly to bring the perpetrator to justice.

Blatant neglect is another common cause of RSPCA court cases and the photograph of two ravenous basset hounds, Donut and Fudge, found in west Wales with bones protruding through their skin, is harrowing. The fact that their condition improved dramatically with just the provision of food and fluid therapy is testament to how avoidable their ordeal was.

Thankfully, however, Donut and Fudge, have both found loving new homes – which is exactly the sort of happy ending the RSPCA aspires to deliver for animals each and every day.

*www.gov.wales/docs/statistics/2017/170119-national-survey-wales-2014-15-pet-welfare-en.pdf



Emaciated bassets

When RSPCA Inspector Keith Hogben arrived at a property in west Wales, he found two very thin tri-coloured basset hounds in a garden scattered with tools, machinery, loose wire, old furniture and dog faeces.

Both dogs seemed alert and active, however their collars were very loose and their hips, spines and ribs were clearly visible.

There was no answer at the property so Inspector Hogben called a vet who said that, in her opinion, both dogs had been caused suffering – emaciation to this extent would have taken several months. She confirmed they needed veterinary attention within 24 hours.

When the owners returned, they agreed that Inspector Hogben could take the dogs to a veterinary surgery.

Ravenous behaviour

At the vets', Donut was unsteady on his feet and very lethargic. Fudge appeared to be slightly brighter, but very nervous. Both were given intravenous fluids and fed bland food, however, they were extremely hungry and kept looking for more to eat. This ravenous behaviour continued throughout their four-day stay at the veterinary practice, yet both dogs showed marked improvements in demeanour after fluid therapy and feeding.

The vet said Donut and Fudge were the thinnest dogs she had ever examined in nine years as a practising veterinary surgeon. Due to the degree of emaciation and loss of muscle mass she believed it had been a chronic problem, ongoing for more than three months. On clinical examination and blood results, neither dog had any disease condition that would explain the degree of emaciation, therefore it was concluded they were simply severely underfed and undernourished.

The male owner declined to sign the dogs over into RSPCA care, so they were seized by police and boarded at RSPCA Llys Nini Animal Centre in Swansea. The couple visited their dogs at the centre and were allowed to spend time with them.

Each dog put on more than 4kg in weight over their 17 days in RSPCA care.

Compassionate view

Although a prosecution against both parties

was warranted, the RSPCA Prosecutions Department took an appropriately compassionate view of the female owner: a conviction would have meant losing her job, and was therefore thought to be disproportionate. Although she was prepared to plead guilty, knowing the devastating impact a conviction would have on her family, she was of good character and clearly remorseful, so was offered and accepted a caution.

The future of the Donut and Fudge was secured through the couple eventually agreeing to sign them over into RSPCA care.

The male owner pleaded guilty and was disqualified from keeping dogs for five years.

Continuing protection

RSPCA Inspector Keith Hogben said: "These poor basset hounds were emaciated and went through a very tough time. This case is another reminder of the important legal responsibilities people have towards their pets, and the consequences if these are not adhered to. RSPCA Cymru will continue to protect dogs like Donut and Fudge from this sort of neglect."

Donut and Fudge, were rehomed together and are now enjoying their lives to the full in a loving new home.

CASE SUMMARY

Investigating officer:

RSPCA Inspector Keith Hogben

Defendant:

Male 32, builder

Offences:

Animal Welfare Act 2006 s4 and s9

Pleas:

Guilty

Convictions:

Two

Sentence:

Disqualified from keeping dogs for five years; £305 fine; £300 costs.

Prosecuted by:

Wilson Devonald Solicitors



AFTER



These poor basset hounds were emaciated and went through a very tough time

RSPCA Inspector Keith Hogben





Birds left to starve

With an outbreak of avian flu in Wales, RSPCA Inspector Simon Evans' heart sank when he received a call about dead and dying ducks.

When he arrived at the location, an allotment in south Wales, he found a large number of birds either dead or in very poor condition. There was no sign that the birds were affected by avian flu, instead they had been left unattended by the two men responsible for them over the entire Christmas period.

Grim conditions

The living conditions the birds endured were grim – it was freezing cold, they had no food, their water had frozen over and living birds were existing among dead ones, which were being eaten by rats. A few of the birds were outside, however most were shut inside sheds.

Inspector Evans put some feed pellets down for the loose birds. They ate immediately, then searched frantically for water. He released the ducks from sheds into their pen – these too fed hungrily and made the most of the small ponds available. A male mallard-type duck was too weak to get up and sat on Inspector Evans' feet, trying to get out of the mud. When Inspector Evans lifted him up he could feel his breast bone through his plumage.

A heavily scavenged dead duck was found in a feed bowl and other dead ducks were partially buried or in the sheds. There was clear evidence that rats had burrowed their way inside the sheds.

Hens and a turkey were also found on the site, generally accommodated in a similar fashion to the ducks, with some being in

poor condition. Three live and 15 dead birds were removed, seven of which were too badly decomposed or scavenged for a post-mortem. Inspector Evans began work on securing the future wellbeing of the birds by tracing those responsible for them and arranging for them to be signed over into RSPCA care.

Post-mortem revelations

A selection of the dead birds were sent to Liverpool University for post-mortem examination.

The reports on a hen and two female ducks confirmed there were no abnormalities or underlying diseases that may have caused their deaths and indicated, from the lack of food in their digestive tracts, that these birds had not eaten suitable food for some time.

Mutual blame

It emerged that the keeping of the birds had begun as a joint venture between the two defendants. However, they both blamed the neglect of the birds on a breakdown of communication, each believing the other was responsible when in fact neither was giving the birds day-to-day care.

The younger man showed no remorse and did not accept he had done anything wrong. He tried to wash his hands of it, claiming he had told the older man he had rehomed the birds that he owned. The younger man, who lived no more than a mile from the location, said he still had to visit the site as he was renovating it. He claimed to have

sporadically fed the birds belonging to the older man from the 'goodness of his heart'.

The older man claimed the younger man had indicated that all of the birds had been rehomed and blamed him for a lack of communication. He lived 200 metres from the site.

Magistrates at Merthyr Tydfil Magistrates' Court remarked that the conditions shown in the photos taken by Inspector Evans were "totally unacceptable".

Fourteen hens, eight ducks and a turkey were successfully rehomed.

CASE SUMMARY

Investigating officer:

RSPCA Inspector Simon Evans

Defendants:

Male 30, unemployed; male 37, builder

Offences:

Animal Welfare Act 2006 s4 and s9

Pleas:

Guilty

Convictions:

Six

Sentences:

Both disqualified from keeping domestic fowl for life; 16 weeks' imprisonment each.

Prosecuted by:

Martyn Prowel Solicitors

Cat beaten to death

A head chef bludgeoned a feral cat to death in a pitiless act of cruelty after the animal strayed into a hotel kitchen.

The night porter had trapped the cat under a fridge using chopping boards. A witness described how she suggested they could take the cat out of the kitchen using the hotel's pet crate, but the chef refused. She had opened the back door to the kitchen, which led to a yard, and suggested they could just let the cat out of the door, but the chef told her to close it. He said he had no choice but to kill the cat as it had urinated and defecated in the kitchen area and he viewed it as vermin.

The witness told him "you can't do that", however she then saw the night porter, wearing gauntlets, carrying a piece of wood into the kitchen. The chef went to the fridge where the cat was trapped and they chased the animal. A few minutes later, she saw the men leave the kitchen carrying a black plastic bag and the piece of wood. They told her they were going to "put it out of its misery". They put the bin bag in a skip.

RSPCA Inspector Phil Lewis investigated and spoke to the chef, who admitted that the cat had been caught and killed by being hit.

Later, Inspector Lewis and RSPCA Inspector Mike Pugh searched the local waste disposal site, but they were unable to find the cat's body among the rubbish.

Social media outcry

The suspects were subsequently interviewed but declined to answer questions. Both men were dismissed from their employment at the hotel, but understandably this case generated a great deal of outrage within the local community and on social media.

Inspector Lewis said: "To bludgeon a cat to death in this way is despicable, and it is no surprise there was such widespread

condemnation for this act across north Wales.

"Without the cat's body, and with no witness to the actual incident itself, this was a complex investigation, but RSPCA Cymru worked hard to ensure there were legal consequences to this dreadful act.

"The poor cat was chased, caught and beaten to death in what must have been a terrifying experience, causing unimaginable pain. Ignorance of the law is no excuse for such cruelty."

CASE SUMMARY

Investigating officer:
RSPCA Inspector Phil Lewis

Defendant:
Male 50, unemployed

Offence:
Animal Welfare Act 2006 s4

Plea:
Guilty

Conviction:
One

Sentence:
Disqualified from keeping all animals for four years; 18 weeks' imprisonment suspended for two years; 250 hours' unpaid work; £750 costs.

Prosecuted by:
Tudur Owen, Roberts,
Glynne & Co Solicitors



It is no surprise there was such widespread condemnation for this act

RSPCA Inspector Phil Lewis





‘Holiday’ before welfare

A couple who prioritised having holiday money over taking their dog for follow-up treatment for his painful skin condition was disqualified from keeping animals for life.

Keano, a golden retriever-type dog, was originally taken to the vet by his owners for treatment for a skin condition, which was described by the vet at the time as looking “terrible”. One follow-up appointment was kept but others were not – the owners’ reason being they were going on holiday and could not afford further veterinary fees.

Shut in shed

When RSPCA Inspector Kia Thomas arrived at the address, she discovered Keano being kept in a shed, from which a strong smell was emanating. She was shocked by the state Keano was in – he had a very obvious skin condition covering a large area of his sides, stomach, chest, neck, head and legs. Hair was missing and his skin was thickened and blackened in appearance. He also appeared to be underweight, with his ribs visible and easily felt. She noticed Keano was scratching and his skin felt hot and greasy, leaving a residue on her hands.

Keano was taken to a vets’, where he rolled on the floor, scratching himself due to the irritation. A vet confirmed his skin condition was extensive; it was reddened, sore and inflamed. Keano’s ear canals were thickened and he yelped when the vet took a swab sample from inside his ears, removing a thick residue. Swabs, scrapes and tape

samples were taken from his skin, along with blood and faecal samples. These confirmed chronic, severe skin and ear infections.

Too expensive

When interviewed, Keano’s owners said they had provided veterinary treatment for the dog’s skin condition, but stopped when it became too expensive. This indicated that they knew Keano needed further treatment, but they had decided not to take him back to the vet. They admitted responsibility for and ownership of Keano, confirming they had owned him for 10 years.

The defendants were prosecuted for failing to get Keano’s skin disease treated, which caused the dog unnecessary suffering, and for failing to protect Keano from pain, suffering, injury and disease.

Keano gained weight in the care of the RSPCA and his skin condition responded to treatment. He has since been rehomed.

CASE SUMMARY

Investigating officer:
RSPCA Inspector Kia Thomas

Defendants:
Male 43, unemployed;
female 40, unemployed

Offences:
Animal Welfare Act 2006 s4 and s9

Pleas:
Guilty

Convictions:
Four

Sentences:
Both disqualified from keeping all animals for life. Male: 120 hours’ unpaid work; £300 costs. Female: 12-week curfew order.

Prosecuted by:
Cyril Jones & Co Solicitors

Horrorifying video footage

Footage posted on Facebook showed a rat being taken out of a bin by clamping pliers on their tail, being forced into a pipe attached to a tyre compressor, then launched into the air like a living cannonball.

Following an appeal for information, the RSPCA received scores of calls from people trying to identify those responsible for this disturbing act of cruelty.

Terrified

In the footage, the animal can be seen struggling and is heard squeaking in fear. The men hit the rat on the head with a piece of metal before forcing it down into the pipe head first. The men then run outside, where they used compressed air to blast the rat over a neighbouring building.

Laughing and swearing can be heard during the incident, giving the impression that they were having fun.

The rat was never found, but was clearly alive and healthy before being fired.

A veterinary surgeon confirmed the rat would have suffered during this whole process.

“Only vermin”

In interview the men claimed the rat had fallen into the bin by itself, which was not credible. They claimed they thought the rat was dead, then it came alive and that they were putting it out of its misery as it had been poisoned. They insisted that none of this really mattered because the rat was “only vermin”.

Chillingly cruel

After sentencing, RSPCA Inspector Gemma Cooper said: “This was such a horrific case – the rat will have suffered terribly. Even though some people see rats as vermin they are protected by law in certain

circumstances. They are living creatures that feel fear and pain.

“These men purposely attached a gas compressor and put the rat in a tube and fired it. They knew exactly what they were doing. This was premeditated cruelty.”

Inspector Cooper added: “We would like to thank everyone who got in touch with information on this case. We really appreciate all the efforts to help track these men down, which have ultimately led to a successful conviction.”

CASE SUMMARY

Investigating officer:

RSPCA Inspector Gemma Cooper

Defendants:

Male 29, service engineer; male 42, mechanic; male 36, mechanic

Offences:

Animal Welfare Act 2006 s4

Pleas:

Guilty

Convictions:

Three

Sentences:

180 hours' unpaid work and £360 costs each.

Prosecuted by:

Martyn Prowell Solicitors

“They knew exactly what they were doing. This was premeditated cruelty

RSPCA Inspector Gemma Cooper



Wales prosecution statistics

Table 1: Headline statistics

| | 2017 | 2016 | 2015 |
|---|-------|-------|-------|
| Cases reported to RSPCA Prosecutions Department ¹¹ | 121 | 141 | 112 |
| Suspects reported to RSPCA Prosecutions Department | 164 | 205 | 158 |
| Defendants convicted (juvenile offenders) | 67(0) | 61(0) | 41(0) |
| Convictions secured in the magistrates' courts | 148 | 120 | 89 |
| Convictions following guilty pleas | 113 | 92 | 57 |
| Convictions following not guilty pleas and trials | 35 | 28 | 32 |
| Defendants with proceedings wholly discontinued or withdrawn by RSPCA prior to or at trial ¹² | 6 | 5 | 6 |
| Defendants with all offences dismissed after trial | 1 | 0 | 0 |
| <i>of which</i> | | | |
| Defendants dismissed – no case to answer ¹³ | 0 | 0 | 0 |
| Prosecution success rate ¹⁴ | 90.5% | 92.4% | 87.2% |
| Offenders cautioned ¹⁵ | 52 | 67 | 42 |
| Offences for which cautioned ¹⁵ | 68 | 96 | 49 |
| Suspects reported but not cautioned or prosecuted because evidential and/or public interest tests not met | 44 | 75 | 70 |

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

| | 2017 | 2016 | 2015 |
|---|------|------|------|
| Offences of cruelty contrary to the Animal Welfare Act 2006 | 148 | 114 | 96 |
| <i>comprising of</i> | | | |
| Contrary to section 4 (causing unnecessary suffering) | 85 | 70 | 56 |
| Contrary to section 5 (mutilation) | 0 | 1 | 0 |
| Contrary to section 6 (tail docking) | 0 | 0 | 0 |
| Contrary to section 7 (administration of poison) | 0 | 0 | 0 |
| Contrary to section 8 (fighting) | 0 | 0 | 0 |
| Contrary to section 9 (duty to ensure welfare) | 58 | 41 | 37 |
| Contrary to section 34 (9) (breach of disqualification) | 5 | 2 | 3 |

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

| | 2017 | 2016 | 2015 |
|--|------|------|------|
| Prison sentences imposed on individuals | 2 | 4 | 5 |
| Suspended prison sentences imposed on individuals | 13 | 15 | 7 |
| Community sentences imposed on individuals | 37 | 28 | 23 |
| Fines imposed on individuals | 14 | 21 | 8 |
| Conditional discharges imposed on individuals | 8 | 2 | 4 |
| Absolute discharges imposed on individuals | 0 | 0 | 0 |
| Disqualification orders imposed on individuals under the Animal Welfare Act 2006 | 53 | 44 | 33 |

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 ^{4.1}

| | 2017 | 2016 | 2015 |
|---|------|------|------|
| Total number of appeals | 2 | 4 | 2 |
| <i>of which</i> | | | |
| Appeals against conviction | 0 | 2 | 0 |
| Appeals against sentence | 1 | 2 | 1 |
| Appeals against both conviction and sentence | 1 | 0 | 1 |
| 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 | 0 | 0 | 1 |

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

| | 2017 | 2016 | 2015 |
|---------------|------|------|------|
| Dogs | 107 | 52 | 55 |
| Equines | 17 | 28 | 24 |
| Small mammals | 16 | 18 | 3 |
| Cats | 11 | 10 | 13 |
| Domestic fowl | 6 | 4 | 0 |
| Rabbits | 5 | 10 | 1 |
| Farm animals | 3 | 3 | 0 |
| Exotics | 0 | 6 | 6 |
| Wild birds | 0 | 1 | 0 |

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

The *Further explanatory notes* on page 34 also apply to these statistics.


Report written by Susan Worsfold

RSPCA Prosecutions Communications Manager

Acknowledgements

Statistics compiled by the RSPCA Prosecutions Cost Recovery and Data Team: Sue Collin and Claire Martin. An RSPCA in-house publication.

All photos RSPCA unless otherwise stated.

A woman wearing a dark riding helmet with a crest and a dark jacket with an RSPCA logo is kneeling on a gravel surface. She is smiling and looking towards the camera. Next to her is a black and white pony with a thick, dark mane and tail. The pony is wearing a dark halter with brass buckles. In the background, there is a wooden fence and some trees under a blue sky with light clouds. A semi-transparent circular text box is overlaid on the top right of the image.

Tex was taken to
RSPCA Gonsal Farm
Equine Centre and has
now been reserved
for rehoming.



Royal Society for the Prevention of Cruelty to Animals

Telephone: 0300 1234 999 www.rspca.org.uk

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