

## **Annex A: Select responses to our proposals for s.4-8 animal cruelty sentence levels**

### **RSPCA:**

Generally yes although we feel the category range for 1A offences should be changed to 52 weeks to 4 years. As Magistrates now have the powers to give longer sentences we feel there should be a higher category range for the most serious offences. The starting point for category 1A offences could then be increased proportionally.

We would consider the higher category range to be applicable to those most serious offences such as (but not limited to): serious violence including torture (such as burning with cigarettes), use of a weapon, e.g. bolt gun, crossbow, serious abuse for self gratification, causing repeated serious injuries and serious non-accidental injury (NAI), purposefully administering unlawful drugs which has serious effects on the animal, animal fighting resulting in serious injury to animals.

### **Battersea Dogs and Cats Home:**

It is unclear why it was deemed appropriate to compare animal cruelty sentencing with other sentencing practices not related to the Parliamentary Act, which increased the maximum sentence tenfold in accordance with the will of Parliament. Given the transformative change, and the clear intention of the Act, these comparisons are of limited value and unnecessary.

Serious animal cruelty offenders are a high risk to the public as well as to animals. Academic studies show they are five times more likely to go on to commit other acts of violence, animal abuse is 11 times more likely around domestic violence and pet abuse is concurrent in 88% of families under supervision for physical abuse of their children. 3 years' custody for a Category 1 high culpability offence, the gravest act of animal cruelty, such as torturing an animal to death fails to recognise this wider risk to the public, and the initial onus for changing the law. A short sentence limits the amount of protection to communities, not only because the most high-risk offenders are in prison for a shorter period, with less opportunity for rehabilitation, but also because the deterrent effect is weaker.

### **Blue Cross:**

...we are concerned and disappointed with the Category 1 High Culpability starting range of 1 year 6 months. With many sentences below two years being suspended and guilty pleas resulting in an automatic reduction by a third of any custodial sentence imposed, it will mean that too many perpetrators will not even receive a custodial sentence. We do not believe this adequately reflects the intent and purpose of the Animal Welfare (Sentencing) Act 2021 or will provide enough protection for animals...

As a pet welfare organisation, we see a number of appalling cruelty cases in both our centres and hospitals each year. Our staff have nursed pets who should have been loved but instead have been deliberately burned; tied up in rubbish bags and left to die; thrown out of moving cars; beaten; starved. These cases are not only obviously deeply traumatic and agonising for the animal but are also extremely distressing and emotionally exhausting for the staff involved. Animals who have endured so much suffering deserve justice that truly reflects the heinous nature of the offence.

### **Dogs' Trust:**

It is extremely disappointing to see that the Sentencing Council has proposed a maximum sentence of three years for the most severe offences sitting under High Culpability and Category 1 harm... We urge the Sentencing Council to amend the proposed guidelines so that these better reflect the serious nature of animal abuse and ensure sentences fit the crime and act as a deterrent to offenders.

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... we ran through real-life cases of animal cruelty and determined the sentences they would likely be given, according to the Sentencing Council's proposed starting points and category ranges. The sentences that would likely be given in these cases remain woefully inadequate, many equivalent to the sentences issued when the maximum penalty was 6 months imprisonment, indicating that under the current proposed guidelines little would change.