

Statistical Bulletin

Animal cruelty offences

Introduction

This bulletin provides information on volumes and sentence outcomes for adult offenders¹ sentenced for offences covered by the Sentencing Council's draft guideline on animal cruelty offences. There are two draft guidelines covering the following offences under the Animal Welfare Act 2006:

- Causing unnecessary suffering (section 4);
- Carrying out a non-exempted mutilation (section 5);
- Docking the tail of a dog except where permitted (section 6(1) and 6(2));
- Administering a poison to an animal (section 7);
- Involvement in an animal fight (section 8); and
- Breach of duty of person responsible for animal to ensure welfare (section 9).

The statutory maximum sentence for section 4, 5, 6(1), 6(2), 7 and 8 offences was six months' custody up until 28 June 2021. From 29 June 2021, for those offences committed on or after this date, the maximum penalty has increased to five years' custody. The latest data available is up to and including the year 2020, which means analysis in this bulletin is not able to cover any changes in sentencing following the update to the statutory maximum sentences for these offences. For section 9 offences the maximum sentence remains six months' custody.

The Court Proceedings Database (CPD), maintained by the Ministry of Justice, is the data source for this bulletin.

Due to very low volumes of offenders for the offences of carrying out a non-exempted mutilation (section 5), docking the tail of a dog except where permitted (section 6(1) and 6(2)) and administering a poison to an animal (section 7), analysis has not been included in this bulletin. Additional figures, including further information on these offences and breakdowns by demographic groups (sex, age group and ethnicity), can be found in the data tables which are available to download as Excel spreadsheets or Open Document spreadsheets at the following link:

<http://www.sentencingcouncil.org.uk/publications/?type=publications&s&cat=statistica-l-bulletin>.

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¹ Offenders aged 18 or over at the time of conviction.

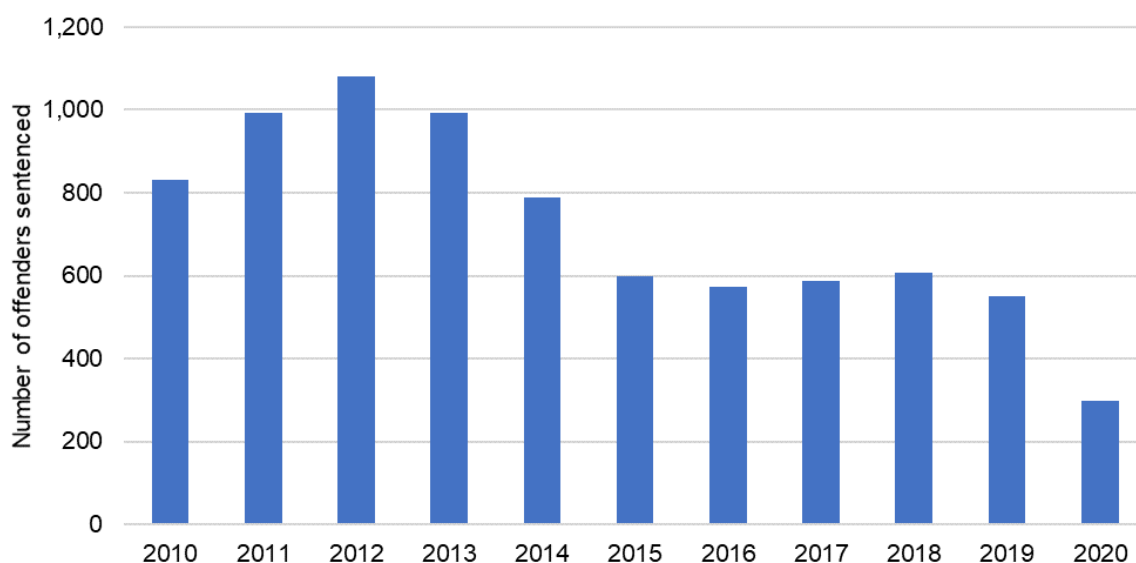
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Causing unnecessary suffering (section 4)

Sentence volumes

In 2020, around 300 adults were sentenced for causing unnecessary suffering to an animal. Sentences for this offence peaked in 2012 when nearly 1,100 adult offenders were sentenced. Sentences for this offence declined in the period between 2012 and 2015 before stabilising at around 600 sentenced adults per year until 2019 (see figure 1). There is a further decline in volume of sentences for causing unnecessary suffering to an animal in 2020.²

Figure 1: Number of adult offenders sentenced for causing unnecessary suffering to an animal, 2010-2020



Sentence outcomes and lengths

In 2020, nearly two in five (39 per cent) adults sentenced for causing unnecessary suffering to an animal received a community sentence. A further 22 per cent were given a fine, 21 per cent received a suspended sentence, and 12 per cent received an immediate custodial sentence. An additional 4 per cent received a discharge and 1 per cent were otherwise dealt with.³

² Figures presented for 2020 include the time period since March 2020 in which restrictions were placed on the criminal justice system due to the COVID-19 pandemic. It is therefore possible that these figures may reflect the impact of the pandemic on court processes and prioritisation and the subsequent recovery, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.

³ The category 'Otherwise dealt with' covers miscellaneous disposals. Please note that due to a data issue currently under investigation, there are a number of cases which are incorrectly categorised in the Court

Since 2010 the most common outcome for an offender sentenced for unnecessary suffering to an animal has been a community sentence. However, the proportion of offenders sentenced to either immediate custody or a suspended sentence has doubled over the last 10 years; 6 per cent of offenders were given an immediate custodial sentence in 2010 compared with 12 per cent in 2020, and 9 per cent of offenders received suspended sentences in 2010 compared with 21 per cent in 2020. Conversely, offenders given a discharge decreased from 17 per cent in 2010 to 4 per cent in 2020.

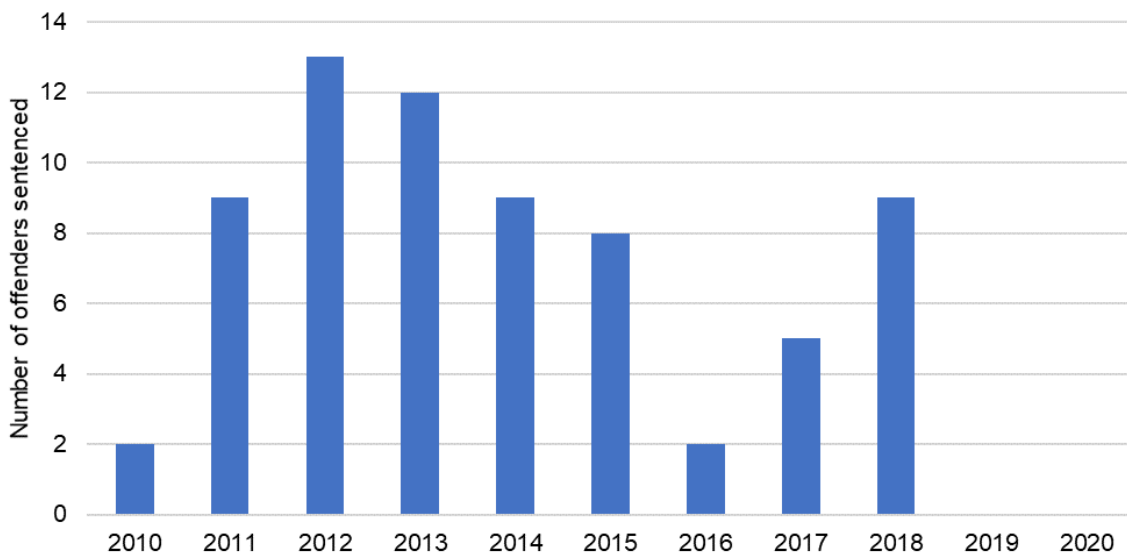
The average (mean) custodial sentence length (ACSL)⁴ in 2020 was 4 months.

Involvement in an animal fight (section 8)

Sentence volumes

This is a low volume offence with around 70 adult offenders sentenced for involvement in an animal fight between 2010 to 2020.⁵ The number of offenders sentenced has fluctuated over this time period with no offenders sentenced in 2019 or 2020 (see figure 2).

Figure 2: Number of adult offenders sentenced for involvement in an animal fight, 2010-2020



Sentence outcomes and lengths

The most common outcome for adults sentenced for the offence of involvement in an animal fight between 2016-2020 was a community sentence (38 per cent). This is

Proceedings Database (CPD) as 'Otherwise dealt with'. Therefore, these volumes and proportions should be treated with caution.

⁴ The average custodial sentence lengths presented in this report are mean average custodial sentence length values for offenders sentenced to determinate custodial sentences, after any reduction for guilty plea. For more information on interpreting these figures please refer to the sentence outcomes section in Further Information at the end of this bulletin.

⁵ These statistics are provided for the period 2010-2020, rather than for a single year, due to the small number of offenders sentenced for this offence each year.

closely followed by immediate custody (31 per cent) or a suspended sentence (31 per cent).

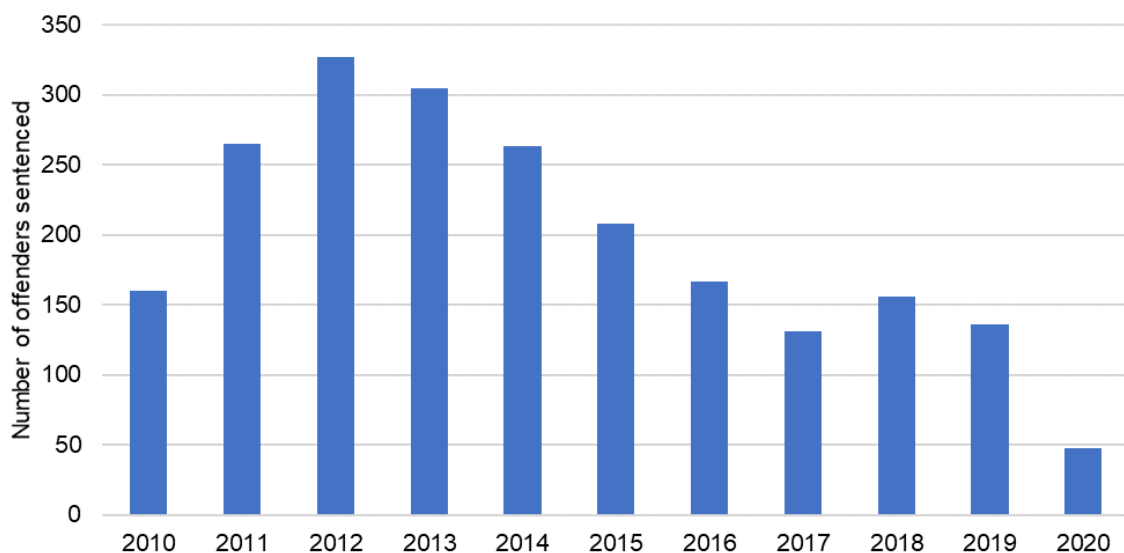
An average custodial sentence length has not been calculated for this offence as the volume of offenders sentenced is too few.

Breach of duty of person responsible for animal to ensure welfare (section 9)

Sentence volumes

In 2020, around 50 adults were sentenced for breach of duty of person responsible for animal to ensure welfare. In 2012, the number of adult offenders sentenced for breach of duty of person responsible for animal to ensure welfare peaked at nearly 330, and since then, sentence volumes have broadly declined (see figure 3).

Figure 3: Number of adult offenders sentenced for breach of duty of person responsible for animal to ensure welfare, 2010-2020



Sentence outcomes and lengths

In 2020, 44 per cent of adults sentenced for breach of duty of person responsible for animal to ensure welfare received a fine. A further 31 per cent were given a community sentence, 17 per cent received a suspended sentence, and 4 per cent were given an immediate custodial sentence. An additional 2 per cent were given a discharge and 2 per cent were otherwise dealt with.³

An average custodial sentence length for this offence has not been calculated for 2020 as the number of offenders sentenced to immediate custody is fewer than 5.

Further information

Volumes of sentences

The data presented in this bulletin only include cases where the offence detailed was the principal offence committed. When an offender has been found guilty of two or more offences, the principle offence is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe. Although the offender will receive a sentence for each of the offences that they are convicted of, it is only the sentence for the principal offence that is presented in this bulletin.

Sentence outcomes

The outcomes presented are the final sentence outcomes, after taking into account all factors of the case, including whether a guilty plea was made. This is because the sentence length information available in the Court Proceedings Database is the final sentence imposed, after any reduction for guilty plea. Sentence outcomes presented in this bulletin are therefore not directly comparable to outcomes in the sentencing guideline tables, which instead show starting point sentences before a guilty plea has been entered.

General conventions

Actual numbers of sentences have been rounded to the nearest 100, when more than 1,000 offenders were sentenced, and to the nearest 10 when less than 1,000 offenders were sentenced.

Data sources and quality

The source of data for this bulletin is the Court Proceedings Database (CPD), which is maintained by the Ministry of Justice (MoJ). Every effort is made by MoJ and the Sentencing Council to ensure that the figures presented in this publication are accurate and complete. However, it is important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used.

Further details of the processes by which MoJ validate the records in the CPD can be found within the guide to their Criminal Justice Statistics publication which can be downloaded via the link:

<https://www.gov.uk/government/collections/criminal-justice-statistics>

Contact points for further information

We would be very pleased to hear your views on our statistical bulletins. If you have any feedback or comments, please send them to:

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Further information on the Sentencing Council and its work can be found at:

<http://www.sentencingcouncil.org.uk/>