



**Northern Ireland  
Assembly**

## **Committee for Agriculture and Rural Development**

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**From: Stella McArdle, Clerk, Committee for Agriculture and Rural Development**  
**To: Christine Darragh, Clerk, Committee for Justice**  
**Date: 4 December 2015**  
**Subject: Increasing the Maximum Penalties for Offences Committed Under the  
Welfare of Animals Act 2011**  
**Prosecution Statistics – DARD VS/Councils/PSNI**

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At its meeting on 1 December 2015, the Committee for Agriculture and Rural Development received correspondence on the above matters.

The Committee agreed to forward an extract of the correspondence to your Committee for information.

Regards

Stella McArdle



Stella McArdle  
Clerk to the Committee for Agriculture  
and Rural Development  
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Our Ref:  
Your Ref:  
Date: 25 November 2015

Dear Stella

## COMMITTEE MEETING 10 NOVEMBER 2015

### Increasing the Maximum Penalties for Offences Committed Under the Welfare of Animals Act 2011

The Department has noted the Committee's request that it should consider banning the keeping of animals on land owned by individuals who have been convicted of an offence under the Welfare of Animals Act 2011 and will give the issue consideration as part of the Review into the Implementation of the legislation.

### Prosecution Statistics – DARD VS/Councils/PSNI

Members will be aware that the focus of the Welfare of Animals Act 2011 is to protect animals and prevent suffering. It introduced a duty of care in respect of all protected animals and provided new enforcement powers to allow action to be taken to prevent animals from suffering. As officials explained, when they presented to the Committee on 10<sup>th</sup> November, prosecution is only one method available to enforce the Welfare of Animals (NI) Act 2011.

For example Councils received **16,769** animal welfare calls, which have resulted in **25,962** inspections. Depending on the nature of any welfare issues, Council Animal Welfare Officers can provide advice, issue Improvement Notices or instigate prosecution action.

**716** legally binding Improvement Notices have been issued by Councils. Improvement Notices specify the nature of non-compliance with the legislation, the remedial action required to achieve compliance and the time allowed to complete the required work. Non-compliance with Improvement Notices is an offence, the penalty for which is currently imprisonment for up to six months and a fine of up to £5,000.

If you have a hearing difficulty you can contact the Department via Text Relay. Dial 18002 + number



DARD Veterinary Service carries out between **700** and **1,000** animal welfare inspections annually. Any non-compliance detected may result in enforcement action. Like Councils, this action may be through an Improvement Notice which specifies the nature of the non-compliance, the remedial action required and the time allowed for the action to be completed. On-farm follow up inspections are undertaken to ensure the issues have been satisfactorily resolved.

The table below includes figures for *Prosecutions*, *Convictions* and *Prison Sentences* imposed following cases taken by each of the animal welfare enforcement bodies in the period 2<sup>nd</sup> April 2012 to 11<sup>th</sup> November 2015, unless otherwise stated.

The *Ongoing Cases* column details cases that the enforcement body has referred to their legal services and/or the PPS. It cannot be confirmed at this stage whether or not these cases will proceed to prosecution.

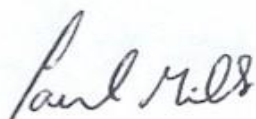
Enforcement body	Prosecutions	Convictions	Prison sentences	Ongoing cases
<b>DARD VS</b>	29	22	3	10
<b>Councils</b>	42	42	1	82
<b>PSNI*</b>	Unavailable	51**	11**	Unavailable
<b>Total</b>	71	115	15	92

\*The information requested is not readily available to the PSNI. The PSNI have been working on collating the required information which will be forwarded to the Committee when it is received.

\*\*to 31<sup>st</sup> December 2014, as provided by the Department of Justice.

Grateful if you would bring this to the attention of the Committee.

Yours sincerely



**Paul Mills**  
**Departmental Assembly Liaison Officer**