

The abuse of animals by juvenile offenders

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From a prosecutor's perspective, the involvement of a juvenile in an animal case makes consideration of prosecution a more complex exercise. It can often bring together the most horrific forms of violent abuse against an animal, with one of the most vulnerable category of potential defendant. At the right moment, this category of offenders can sometimes offer an opportunity to work with and engage youths in a local community, bringing some good to the darkest of situations.

The Code for Crown Prosecutors sets out some common public interest factors tending in favour of and against prosecution. Those factors pointing towards prosecution include whether the offence involved the use of a weapon or violence, whether the offence was carried out by a group and whether the victim was vulnerable.

Other considerations for youth offenders are their past conduct and whether they have already received reprimands or final warnings. Prosecutors are specifically advised to take into account the interests of the youth when deciding whether it is in the public interest to prosecute them, and consider whether the person has tried to put right the loss or harm caused by them.

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The RSPCA considers whether to bring private prosecutions against those who commit offences involving animals. The Charity, which has been protecting animals in this way since 1824, does so in order to meet its charitable objects “to promote kindness and to prevent or suppress cruelty to animals”. A conviction can mean a court order to move an animal out of an abusive and violent home. It can also mean a person is disqualified from further involvement with animals, protecting other animals from future risk. And a conviction can send a clear message to society at large as to what is, and is not, acceptable conduct towards animals.

A volunteer researcher was recently used to provide a detailed analysis of RSPCA cases involving juvenile offenders. The results confirmed some long held beliefs about the

profile of juvenile offenders; and also some more surprising information about the nature of those offences. A relatively small number of cases were used for the research to enable a more in-depth analysis of each to be performed. In total, 46 juveniles in 33 cases from 2008 were considered. All of these cases resulted in conviction. This older data was used to enable analysis to take place of reoffending data after that time.

Of those youths considered, 82% were male, and 74% were in the 15 - 17 age bracket. Only half of them were in education at the time of the offence, and 30 % were not in education or employed. 50% of those considered had previous convictions; between them they had 48 convictions for 104 offences, and 13 reprimands and 10 warnings. Six of the 23 youths had multiple convictions and these covered a wide variety of common offending patterns including convictions for theft, criminal damage, public disorder, violence, and the misuse of drugs. One defendant had been previously prosecuted by the RSPCA and in another case the RSPCA had previously visited and spoken to the family about the same animal.

In interview the defendants had been asked why they had harmed animals. Three admitted causing intentional cruelty, with one of these suggesting it

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helped him relieve his anger. Fourteen of the juveniles appeared to simply lack judgment about the appropriate way to treat animals, and four denied any wrong-doing. Three youths blamed their use of alcohol at the time of the offence, and seven appeared to have hurt animals for fun, out of boredom or peer pressure. Only 11 of the people considered expressed any regret for their actions. In three cases parents expressed remorse for their children's actions, but in two cases parents refused to engage with the RSPCA at all. In four families, there appeared to be some encouragement of their children's actions, or involvement in offences against animals themselves.

In three quarters of the offences committed by the study group, the actions were carried out in a group rather than by individual, and in 82% of cases the offences were committed in an urban rather than a rural area. Alcohol or drug use was not as prevalent as might have been

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assumed; only appearing to feature in 17% of cases, with another 7% of defendants admitting to regular drug use, although it was not clear whether they were under the influence of drugs at the time of the offence. There was a clear correlation however between the involvement of alcohol in the offence

and the level of violence against the animal. Attacks on animals in these cases were particularly horrific, including throwing a rabbit against a wall, beating a hedgehog to death with a bicycle chain over a 30 minute period and swinging a cat by its tail and kicking it. Weapons were usually very crude items that were to hand, rather than anything designed or sophisticated. In 24% of cases weapons were used, including cigarette lighters, rocks and sticks.

In one particularly distressing case a group of youths were witnessed torturing a sheep in rural Norfolk. They chased the pregnant rare breed ewe around a field shouting at each other to “stab it”, “fork it” and “punch it”. When police arrived they followed the blood stained drag marks to a wheelie bin and found the body of the sheep stuffed inside. Veterinary evidence showed the ewe had been kicked, punched and stamped on. She had broken ribs, a broken jaw and a dislocated neck and she had been stabbed with a pitch-fork through her eye, chest and liver. Bricks, sticks and stakes had also been used in the attack.

Two youths aged 16 and 17 were identified from the group and they admitted playing a part in its death. They were each sentenced to a four month detention and training order and disqualified from keeping animals for 10 years. A third youth admitting chasing the animal and was given a referral order and ordered to pay compensation to the owner of the sheep.

Referral orders and supervision orders were the most common outcomes for the group analysed from 2008 data, whilst 25 of the 46 were disqualified from keeping animals for some period. Four defendants were made the subject of a curfew, and seven were ordered to

perform unpaid work or community service.

Against this rather depressing analysis were positives. Only one of the defendants reoffended against animals in the period 2008 – 2011, to the knowledge of the RSPCA. In many cases RSPCA Inspectors are able to use such incidents to bring together the local community and other youths, who are often appalled at what has occurred in their area. Educative work in schools and alongside Youth Offending Teams meant that some good was able to come from these murky moments of human life.

Acknowledgements

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