



Section 20 Application

Animal Welfare Act 2006

WHAT DOES THIS MEAN?

The RSPCA has decided to make an application to the court to determine the future of your animal(s).

The RSPCA is satisfied your animal(s) were taken into possession under the provisions of Section 18 of the Animal Welfare Act 2006. This allows the magistrates' court to determine their future under the provisions of Section 20 of the Animal Welfare Act 2006. Which states, amongst other things;

- (1) A magistrates' court may order any of the following in relation to an animal taken into possession under section 18(5) –**
- (a) that specified treatment be administered to the animal;**
 - (b) that possession of the animal be given up to a specified person;**
 - (c) that the animal be sold;**
 - (d) that the animal be disposed of otherwise than by way of sale;**
 - (e) that the animal be destroyed.**

WHAT HAPPENS NEXT?

The enclosed application will include the time, date, place and address of the court hearing. It will identify the animal(s) involved and the type of order the RSPCA is seeking. Keep it in a safe place.

You will shortly receive the legal documents the RSPCA wishes to rely upon in support of this application. These will be sent to you by the solicitor acting for the RSPCA.

If you do not wish to contest this application you should contact the court and the RSPCA as soon as possible. You are able to sign over ownership of your animals to the RSPCA now or at any time up to the hearing date which will avoid the need for a court hearing. **To do this call 0300 1234 999 quoting the reference on the application.**

If you wish to oppose the application or seek legal advice before making a decision, you should look for a solicitor as soon as possible to assist you. Your solicitor can contact the RSPCA Prosecutions department for the details of the solicitor acting for the RSPCA by emailing **solicitors.inbox@rspca.org.uk**.

DO I NEED TO ATTEND COURT?

You do not need to attend court if you do not contest the application. If you wish to contest the application you must attend court at the time and place given in the application. If you can't make it, you need to tell your solicitor (or the court if you don't have a solicitor) as soon as possible. You might be asked to provide evidence of the reason why you can't attend – for example, a doctor's note if you are ill – so please have this ready. Be prepared to advise the court why you contest the application.

FINDING A SOLICITOR

A solicitor will be able to help you with your case. Choosing your solicitor as early as possible means that they will have more time to work with you.

The solicitor can:

- advise you on whether you can get legal aid (which helps with the cost of your legal advice)
- help you understand what is happening and why this application has been made
- advise you on the court process
- make sense of any legal terms
- help you decide what to do
- speak on your behalf and represent you in court
- explain how any decisions made by the court will affect you
- look after your interests.

You can get a list of local solicitors from:

- The Citizens Advice Bureau (CAB) – find your local branch in the telephone directory or look online at: www.citizensadvice.org.uk and click on 'Find your local CAB' or telephone for England 03444 111 444 or for Wales 03444 772 020.
- The Community Legal Service (CLS) Directory – call 08456 081 122 or go to: www.clsdirect.uk and put in your postcode under 'Find an adviser'.
- The Yellow Pages – look in the printed directory or go to: www.yell.com and search for a criminal defence solicitor.

