

Statutory Powers for the RSPCA

Key Information

- RSPCA officers currently lack any statutory powers, meaning they are heavily dependent on support from the police and local authorities to carry out their work.
- This reliance on already-stretched public services not only places additional pressure on police and local authority resources but also leaves animals in need of rescue in precarious situations or suffering under cruel or sub-optimal conditions for longer.
- Granting limited statutory powers to the RSPCA under the Animal Welfare Act 2006 would enable the organisation to operate as the public expects, while simultaneously helping to reduce the workload burden on the police and local authorities.

Background

RSPCA officers currently lack any statutory powers, meaning they are heavily dependent on support from the police and local authorities to carry out their work. Crucially, they do not possess the same powers as local authority inspectors under the Animal Welfare Act 2006 (AWA).

This lack of authorisation means RSPCA officers cannot, for instance, enter buildings without a police warrant, take into possession and remove animals from situations negatively impacting their welfare, or issue statutory improvement notices.

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Granting limited statutory powers to the RSPCA under the AWA would enable the organisation to operate as the public expects, while simultaneously helping to reduce the workload burden on the police and local authorities.

Following the Wooler Review¹, the RSPCA committed to several key changes. These include seeking statutory powers for its officers under the AWA and transferring its prosecution work to the Crown Prosecution Service. We continue to engage with the UK Government on a mechanism for this transfer and have responded to the Government's recent consultation on private prosecutions².

What is the RSPCA asking for?

The RSPCA has considered statutory powers. This included internal discussions with operational teams and external consultations with organisations such as the SSPCA and ISPCA. We recognise that, unlike prosecution work, this is a devolved matter. Securing these powers in Wales and

¹ [The independent review of the prosecution activity of the Royal Society for the Prevention of Cruelty to Animals](#) (accessed 12.11.25)

² [Oversight and regulation of private prosecutors in the criminal justice system consultation - GOV.UK](#) (accessed 12.11.25)

England will therefore require collaboration with the Welsh Government and the UK Government. This is our position on six key areas:

1. We do wish to be able to issue statutory improvement notices

At present all improvement notices the RSPCA issues are non-statutory and while they can, and are, considered by the Courts, they are not mandatory, and it would be helpful and provide consistency of approach if our notices were put on the same footing as local authority or police ones. Our colleagues in the SSPCA and ISPCA already issue statutory notices.

2. We do want the power to be able to take animals into possession

To ensure animals receive urgent veterinary attention or are removed for an investigation, we currently rely on statutory bodies like the police or local authority officers. This reliance can lead to delays in animal care, negatively impacting their welfare, and also strains the resources of those bodies.

While police attendance for property access is still necessary to ensure safety, we propose that our trained officers be granted the power to seize animals, as they are often better equipped than many police officers to make this assessment. This change would make the process more open and transparent, allowing animal welfare issues to be addressed more rapidly. Our colleagues in the Scottish SPCA and National SPCA (Ireland) already possess and utilise these powers.

3. We do not want any power to enter private dwellings

The RSPCA is not seeking statutory powers to enter private dwellings. This decision is based on significant health and safety concerns for our frontline personnel, particularly the potential risk of violence or the use of weapons, which conflicts with our duty of care to protect our colleagues. We believe it is a safer approach for our teams, and one that provides independent oversight for the public, to continue requesting police assistance in these types of situations.

4. We do want to be able to access private land in an emergency

There are occasions where our frontline officers are called to animals that might have collapsed in a field, for example a horse. At present our officers cannot access the field without trespassing and so on many occasions may have to wait for a police officer to attend. This can delay assisting the animal and can impact on their health and welfare. In order to be able to assess the animal and request veterinary support if needed quickly it would be helpful if our officers can access premises as defined by s62(1).

5. We do not want the ability to apply for warrants

As our officers rely on the attendance of police officers and/or local authority officers when warrants are executed and the logistics of coordinating such attendance can be complex we believe the status quo should remain as it would add an extra unnecessary level of complexity if RSPCA officers could apply for warrants.

6. We want all RSPCA officers to have such powers

We would want all frontline officers (from inspectors to animal rescue officers) to have such powers and would request that Defra or the Welsh Government to authorise local authorities in both countries to appoint them.