

STATEMENT: RSPCA vs Selby - withdrawing of charges

The following statement has been issued by RSPCA South Australia:

Today in Mt Barker Magistrates Court RSPCA South Australia withdrew animal ill-treatment charges in the Selby matter due to a lack of evidence to prove guilt beyond reasonable doubt.

The charges related to intentionally or recklessly causing harm to an animal when the defendant allegedly shot a crossbow bolt into the head of a domestic cat named Max, on or about 30 April 2017 in Mt Barker.

Max was found by his owners and was rushed to the vet, and thankfully survived his ordeal.

SAPOL and RSPCA South Australia worked together in this matter with Forensics SA also undertaking analysis for DNA and fingerprints as part of the case.

Despite significant circumstantial evidence, due to inconclusive DNA evidence on the crossbow bolt, no witnesses and no admissions in the case, a prosecution for animal ill-treatment was unlikely to be successful.

All offences under the Animal Welfare Act are criminal matters, meaning the burden of proof lies with prosecution to prove beyond reasonable doubt the veracity of the charges.

With a lack of evidence, in the Prosecution's legal experience and understanding, a successful case proving conclusively that Mr Selby shot Max the cat is highly unlikely.

RSPCA South Australia is disappointed at having to withdraw the prosecution, but must respect the bounds of our justice system within which we operate. This case stands as a reminder to the community to always be vigilant and immediately report to RSPCA's hotline on 1300 4 777 22 any incidents of animal cruelty .

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